

*Michl.* THE *Parson*  
FRENCH CONSTITUTION;  
*Spital* WITH *Square 1792*  
REMARKS

ON SOME OF ITS PRINCIPAL ARTICLES;

IN WHICH THEIR IMPORTANCE IN A

POLITICAL, MORAL AND RELIGIOUS POINT OF VIEW,

IS ILLUSTRATED;

AND THE NECESSITY OF

A REFORMATION IN CHURCH AND STATE

IN GREAT BRITAIN, ENFORCED.

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BY BENJAMIN FLOWER. *— R*

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IS EXCELLENCE HELD OUT TO US ONLY THAT WE SHOULD  
NOT COPY AFTER IT? BURKE.

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L O N D O N:

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MDCCXCII.





## P R E F A C E.

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ALTHOUGH the Table of Contents, and the Introductory Observations to the following Work, will inform the Reader of my design ; yet, in order to prevent mistakes, I think it necessary to premise a few prefatory remarks.

Since the major part of this work was printed, several of my observations have received additional confirmation, by the proceedings of the House of Commons, during the present session. But there is one thing which requires a little explanation, in order to obviate what may be thought a contradiction. I have in one or two places mentioned “ our annually increasing taxes.” The practice of government for fifteen years past, warranted me in using such an expression. At last, after nine years peace, it appears that the people of this country, have the prospect of some trifling diminution of their burdens. The ingenuity, industry, and spirit of our manufacturers and merchants ; the measures of government to make the taxes productive ;—These, with many accidental and temporary circumstances, have conspired to render our revenue flourishing beyond expectation. But I beg leave to add, that the main principles of this work, are not to be shaken, either by temporary prosperity or adversity. Should what is called our prosperous situation, be still more prosperous ; Should France have yet new distresses to suffer ; these principles will remain the same. They are, I am persuaded, the principles of eternal truth and justice :

“ If these fail ;

“ The pillar’d firmament is rottenness,

“ And earth’s base built on stubble.”

There

There are, I know, persons of a different opinion ; and who imagine that the felicity of an individual, and of a nation, depends principally on riches, without enquiring by what means those riches are acquired, or in what manner they are improved. If any person who is rivetted to such an opinion, should take up this book, I think it but fair to tell him, he may almost as well lay it down again ; as there is little in it to afford him either satisfaction or conviction. But, as the friend of that man, I cannot help earnestly persuading him seriously to reflect ; whether, while his mind is under the influence of such a sentiment, he deserves to be called either a BRITON, or a CHRISTIAN ; or whether he is not the enemy of Liberty, of Truth, of Virtue, of Goodness, of GOD HIMSELF !

I am fearful that several of my sentiments, as well as the manner in which I have expressed them, may not be agreeable to some persons I cordially esteem. I must, therefore, request them not only to read, but to pause, to reflect with impartiality, before they censure. I trust I possess a mind open to conviction, and that I shall esteem the man who will endeavour, with candour, to convince me of my mistakes, MY FRIEND. Should any one honour me with public notice, I hope, however engaged in the common concerns of life, to be able, as I am sure I shall be willing, to defend or to give up any thing that I have written. This is nothing more than my duty. When a man presumes to address the public, and at the same time declares his determination not to reply to any thing that may be said to him, such a declaration might be considered as an unpardonable insult, were it not a sort of acknowledgment of the weakness of the writer, or of the weakness of his cause ; probably of both.

I should be very unhappy, if what I have now said, should be considered as throwing down the gauntlet, or  
challenging



challenging any one to meet me in the unpleasant, though sometimes unavoidable field of controversy. I therefore declare, that if any one thinks proper to attack me, it must be on my own ground. I am not responsible for the opinions of other writers, who may have taken up their pens in defence of the French Revolution. Should any person, therefore charge me with being a republican, or an enemy to OUR EXCELLENT CONSTITUTION: Should he insinuate that my design is to sap the foundations of religion, or government; or to introduce anarchy and confusion in this kingdom: should he take up the last desperate weapons of a desperate cause, personal calumny and abuse; he may rest assured, that such conduct will only excite in me the silent emotions of contempt, or rather of pity. My time is too valuable; my disposition is too placid; and though I cannot boast, yet I hope I have within me too much of the natural dignity, the sterling nobility of human nature, still more ennobled by Christianity, to permit me to stoop to take up those despicable weapons which are never resorted to but as the last resource of vanquished argument: or to engage in the horrid fray of railing for railing.

When I committed the first part of this work to the press, could I have imagined it would have swelled to its present size, I should probably have so far altered my plan, as to have omitted the copy of the French Constitution: And yet I have so frequently referred to it, as to render the insertion almost necessary. I can truly say, that I have sacrificed pecuniary considerations, to what I judged would most accord with the inclinations of my readers.

As to the style of this work—But here I would be entirely silent, was I not conscious that every one of my readers will too soon perceive such imperfections, as to pronounce me deficient in that respect I owe the public, if I neglected

ed to offer some apology. My hope is, that as my pretensions are humble, candour will associate with criticism, to prevent her from being severe. This performance is nothing more than the honest language, of a plain man, engaged in a good cause, and feeling its importance. If I have been so happy as to render myself well understood, and above all, should what I have written awaken any of my countrymen to a proper consideration of those interests which most materially concern them, my ambition will be gratified, and I shall feel that satisfaction which nothing can ever take away.

B. F.

March, 1792.

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The Reader is requested to correct with his pen the following Errata.

Page 100, Line 3, for *taxes*, read *most of the taxes*

136, — 7, for *specific form*, read *divine specific form*

— 10, for *borted*, read *exborted*

169, — 7, leave out, *to them*

200, — 12, for *remitted*, read *mitigated*

253, — 18, for *every*, read *almost every*

290, — Note, for *discover*, read *discovered*

340 } --- — for *one hundred and fifty*, read *one hundred and*  
364 } *thirty*

360, Line 19, for *involved*, read *involve*

364, — 25, for *immerged*, read *emerged*

436, — 6, leave out *to*.

Any trifling errors of the press, which may not affect the sense, the reader is requested to excuse.



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INTRODUCTORY

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## INTRODUCTORY OBSERVATIONS.

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OF all the events which have taken place in the world since the introduction of Christianity, there is no one, perhaps, which has been more unexpected, more astonishing, or more worthy the attention of mankind, than the late Revolution in France. When we consider the manner in which it has been accomplished, the effects it has already produced, and the much greater effects which it probably will produce, not only throughout the French empire, but in the course of time throughout the world; we may safely assert, that it demands the very serious consideration of every friend to those best interests of mankind, Truth and Liberty.

Upwards of two years have elapsed since this great event commenced, during which period, the National Assembly have been daily, and almost hourly employed, in abolishing the abuses of the old government, and in forming a constitution on the just

B

rights



rights of man ; a constitution intended for the benefit, not of the few, but of the many ; not for one man, or one class of men ; but for the whole body politic, from the King upon the throne, to the peasant in the cottage.

*Salus populi suprema est lex*, is the sentiment which has been engraven on the hearts of the French legislators. Their decrees are published to the world, and they may challenge the bitterest of their enemies, to point out any which are calculated to advance the private interest of individuals, at the expence of the public good. This is the principal reason of the opposition which has been shewn to their proceedings in their own country, and of the dislike and abhorrence which they have excited in other countries in the minds of statesmen ; for it is an observation, not more melancholy than true, that the purer any system, either of religion or government, is in its principles, the more will it be disliked, detested, and opposed, by a considerable part of mankind. Though its supporters and admirers may be actuated by the best of motives ; though they may have no interest in view, distinct from that of  
their





their fellow-creatures, they will be sure to be despised and vilified. This has been the case in those revolutions, which have proved the greatest blessings to mankind.

When Christianity was introduced into the world; a system, the principles of which were proclaimed by the angelic choir, *Glory to God in the highest; peace on earth, goodwill towards men*; a system, the design of which was to redeem mankind from slavery, vice, and wretchedness; what was the language, and what was the conduct of the rulers in CHURCH and STATE of that day? They charged the benevolent author of it with sedition, *with stirring up the people, with being an enemy to the civil government*; and notwithstanding the falsity of these charges they prevailed (the priests in particular, by their inflammatory discourses) on the *high church mob* of that day, to crucify the best friend to the human race which ever appeared on this globe. His disciples, who with undaunted courage, published the truth after his death, met with treatment similar to that of their master. They were charged as *men who wanted to turn the world upside down*; the Christian sect was everywhere *spoken against*; and whoever will attend to

what was then said of those primitive reformers of mankind, will find it very similar to the language now used against the reformers in France, as well as against their admirers in other countries.

But the progress of Truth, though slow, is certain. The light of Christianity, however it may have been obscured, more indeed by its friends than by its enemies, has never been, and never will be extinguished.

From the introduction of this system, let us turn our eyes for a moment to that great event, commonly termed the Reformation, which took place in the sixteenth century, the leading design of which was, the restoration of the rights of conscience, and the recovery of religious liberty. What opposition did it not meet with from popes, from cardinals, from bishops, and from the major part of the clergy, wherever it was introduced! Persecution in all its horrid forms, was made use of, to prevent the reformation of those corrupt religious establishments, which then overspread the world. Although this reformation was a morning with clouds, yet the sun, which then appeared, has been gradually spreading  
ing

ing its light ever since : and to the inexpressible joy of the friends to mankind, has burst forth with renewed splendour, on twenty-five millions of the human race, who are now feeling its illuminating and cheering influences ; and we doubt not, but that like its glorious representative, the sun in the firmament, its light will in due time spread over the whole world, and that all mankind will be happy in experiencing its glorious effects.

A system, however, like the French Constitution, that levels at once the corrupt prejudices with which the world has long been overcast ; which annihilates despotism ; which raises the depressed part of mankind ; which breaks the fetters of slavery, both civil and ecclesiastical ; which renounces those horrid principles of action that have made nearly one half of the world at war with the other ; which has purified the church from those corrupt innovations that infested it for more than a thousand years past ;—It is no wonder that a constitution, founded on such principles, should have been disliked by the despots of the earth, or that they should burn with indignation at beholding such an event. But  
there



there is one reflection that forces itself on the mind of the writer, and which he doubts not has frequently been excited in the minds of his readers, a reflection that must give peculiar pain to every friend to mankind ; namely, that in a nation hitherto distinguished from surrounding nations, by the principles of freedom on which its constitution is founded ; and which, though but partially and imperfectly acted upon, have produced so many happy effects ; that in GREAT BRITAIN we should find enemies to the French, because they have followed the example of our ancestors ;—That Britons should repine, because their neighbours have imbibed the spirit of our best political writers ;—that they should join the league of tyrants in exclaiming against a constitution which has more freedom in it than their own ;—This is a fact almost as surprising as the revolution itself ; and which, had it been foretold a few years since, would have been equally disbelieved. One of our best modern poets when fondly imagining an event which has since taken place in France, the destruction of the Bastile, could not help breaking forth on the occasion, in

language

language which shews that his feelings are as pure as his abilities are shining.

- “ Ye horrid towers, th’ abode of broken hearts !  
“ Ye dungeons and ye cages of despair !  
“ There’s not an English heart that would not leap,  
“ To hear that ye were fallen at last—to know  
“ That even our enemies, so oft employed  
“ In forging chains for us, themselves were free !”\*

But what would have been the surprise of the above writer, had any friend, on looking over him, thus addressed him : “ Your wish respecting the French empire will shortly be accomplished : the people will be free ; the horrid towers of the Bastille will fall, and its dungeons, its cages of despair, will soon be destroyed : but you are mistaken in supposing that such an event will inspire the hearts of your countrymen with joy ; many of them will mourn on the occasion. One of them in particular, to your surprise, as well as that of many others, will charge the French with guilt, for daring to break their chains ; he will single out, as one of their capital crimes, the demolition of the Bastille : he will ransack language for every term of abuse against those new-born sons

of freedom: yea, he will be so “exceedingly mad against them,” as to invite even his SOVEREIGN, *who has gloried in the name of Briton* \*, to join the sovereigns of Europe, to subdue the efforts of the French in establishing their freedom, and to forge anew those chains which they will break in pieces; who will give this advice, although he knows a deluge of blood must be the consequence, should it be followed †.” Had any one thus addressed the poet, what must have been his astonishment on the occasion!

Britons, however, in general it is hoped, have not so degenerated from the principles of their ancestors, as to be led away by such wild and wicked suggestions, as they have lately been insulted with by Mr. Burke in particular, not to mention other writers, who have first misrepresented, and then abused the French nation. It is hoped we have sense and honesty enough to read, examine, and judge for ourselves; and that if we find the French have made greater progress in Truth and Liberty than we

\* See his Majesty’s Speech on his accession to the throne.

† Mr. Burke’s Second Letter.

have,



have, we shall think it our duty to learn from their example, as they undoubtedly have from the example of our forefathers.

To afford his countrymen some assistance in their enquiries on this important subject, is the design of the writer who now takes the liberty of addressing them. The National Assembly of France have accomplished their great work: the labours of its members are terminated. They have proved true to their trust, and to their oaths. The constitution is finished. It has been accepted, in the most solemn manner, by the King, who is bound by every tie, which gratitude or interest can suggest, to maintain and support it to the utmost of his power. It has been solemnly proclaimed in every city and town throughout France, and it can only be altered by a new assembly, chosen by the people at large for that express purpose. That constitution is presented to the Reader, who is requested carefully to peruse it. Many of its articles have been already published at different times, as they were decreed; but some have been forgotten, others have been misrepresented, some have undergone alteration; and until the late revision by the assembly,

sembly, and the acceptation of the King, it was uncertain what decrees would have been deemed constitutional. This important work having been concluded, every one may now refer to what the French consider their *Magna Charta*, their *Declaration of Rights*, their *Constitution*; of which no power on earth has a right to deprive them.

In the remarks which follow, it will soon be perceived by the Reader, that it is not the design of the Author to enter largely into the nature of the French Constitution, to delineate its various excellencies, or to criticise its apprehended defects. He has purposely avoided all abstract speculations on the nature, advantages, or disadvantages of different governments, whether monarchical, aristocratical, or republican. He has only mentioned the legislative decrees of the National Assembly, so far as they were necessary to illustrate his sentiments. Many able writers have discussed these subjects, and many more will discuss them. Time and experience will be necessary to form a proper judgment of many of the internal parts of the new government. The National Assembly have done  
much

much in laying an excellent foundation ; but in erecting the superstructure, they have been compelled to try new methods, and to proceed in a manner for which they had no example. Their own language on the occasion is well deserving notice, it is as noble as it is just and candid, and should ever prevent any persons from judging hastily of what, perhaps, they do not properly comprehend.—“ We have had (say the assembly) to combat with the inveterate prejudices of ages ; and great changes are attended by a thousand uncertainties. Our successors will be enlightened by experience ; as for us, we have endeavoured to trace a new route by the light of principles only. They will labour in peace, but we have been tried with dreadful storms. They will know their rights, and the limits of the several powers : we have recovered the first, and have fixed the second. They will consolidate our work ;—they will surpass us, and that shall be our recompence \*.”

The foundation principles of the French

\* First address of the National Assembly to their constituents, Sept. 28th, 1789.



constitution are more particularly recommended to the consideration of the Reader ; principles on which every good government must be founded ; principles which one would think should stand in little need of recommendation, but would be embraced by every one, whose mind is not warped by pride, passion, or prejudice. An attention to these is the peculiar duty of Englishmen : by studying the French constitution, they will be enabled to judge of the excellencies and the defects of their own. The main design of this publication is to engage the attention of that class of men, who like the writer, have neither abilities, leisure, or inclination for profound researches or accurate investigation ; but who he hopes are unhacknied in the ways and arts of statesmen ; who are blessed with a little plain unsophisticated common sense ; whose minds are open to conviction, and whose hearts are warm with love to their country, and to all mankind. To such persons he ventures to address himself with freedom, and to them he can without anxiety submit his remarks. Should any one, in perusing them, think that he has been too free in some of those which relate  
to

to the government of this country, he has only to request such person to ask himself for a moment, what it is which makes them appear so? If it is not TRUTH, he will readily acknowledge the justice of any censures which may be cast upon them. This is all the apology that can be made by the writer for his sentiments on this occasion, and this is sufficient; if they are true, little apology is necessary; if they are not, no apology, however specious, *ought* to excuse them.

One thing, however, he begs leave to add; that as he resided at Paris at the time when some of the principal events of the revolution occurred, he has had an opportunity of judging for himself concerning the affairs of the French nation. He has endeavoured to gain what intelligence he could from different parties, and different writers. The cause in which he has thought proper to engage, is too good to require any misrepresentation or deceit; he has made use of neither. He can, therefore, with the utmost sincerity conclude this address, in the language of a great man on another occasion: "These remarks  
" are designed, slight and imperfect as they  
" are

“ are, for the service of TRUTH, by one  
 “ who would be glad to attend, and grace  
 “ her triumphs; *As her soldier*: if he has  
 “ had the honour to serve successfully un-  
 “ der her banner: or, *as her captive*, tied to  
 “ her chariot wheels, if he has, though un-  
 “ designedly, committed any offence against  
 “ her\*.”

LONDON, DEC. 1791.

\* Dr. Jortin's Remarks on Ecclesiastical History,  
 Vol. I. Preface.



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THE  
**FRENCH CONSTITUTION;**

AS FINALLY DECREED  
BY THE NATIONAL ASSEMBLY,  
AND ACCEPTED BY THE KING.

---

BEHOLD YE DESPISERS, AND WONDER AND PERISH!

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THE  
FRENCH CONSTITUTION.

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DECLARATION OF THE RIGHTS OF MAN,  
AND OF THE CITIZEN.

THE Representatives of the French people, formed into a National Assembly, considering that ignorance, forgetfulness, or contempt of the Rights of Men, are the sole causes of public grievances, and of the corruption of government, have resolved to exhibit, in a solemn Declaration, the natural, unalienable, and sacred Rights of Man, in order that this Declaration, ever present to all the Members of the SOCIAL BODY, may incessantly remind them of their rights and of their duties ; to the end that the acts of the legislative power, and those of the executive power, being able to be every moment compared with the end of all political institutions, may acquire the more respect ; in order also that the remonstrances of the  
C citizens,



citizens, founded henceforward on simple and incontestible principles, may ever tend to maintain the Constitution, and to promote the general good.

For these reasons, the National Assembly recognises, and declares in the presence, and under the auspices of the Supreme Being, the following Rights of Men and of Citizens :

#### ARTICLE FIRST.

ALL men are born, and remain, free and equal in rights: social distinctions cannot be founded but on common utility.

II. The end of all political associations is the preservation of the natural and imprescriptible rights of man: these rights are liberty, property, security, and resistance against oppression.

III. The principle of *sovereignty* resides essentially in the nation: *no body of men*, *no individual*, can exercise an authority that does not emanate expressly from that source.

IV. *Liberty* consists in the power of doing every thing except that which is hurtful to another: hence the exercise of the natural rights of every man, has no other bounds than those that are necessary to ensure to the  
other

other members of society the enjoyment of the same rights: those bounds to be determined by the law only.

V. The law has a right to forbid those actions alone, that are hurtful to society. Whatever is not forbidden by the law, cannot be hindered; and no person can be constrained to do that which the law ordaineth not.

VI. The law is the expression of the general will: all the citizens have a right to concur personally, or by their representatives, to the formation of the law: it ought to be the same for all, whether it protect, or whether it punish. All citizens being equal in the eye of the law, are equally admissible to public honour, places and offices, according to their capacity, and without any other distinction but that of their virtue, or their talents.

VII. No man can be accused, arrested, or detained, except in cases determined by the law, and according to the forms which the law hath prescribed. Those who solicit, dispatch, execute, or cause to be executed, arbitrary orders, ought to be punished; but every citizen that is summoned, or seized, in

virtue of the law, ought to obey instantly—he becomes culpable by resistance.

VIII. The law ought to establish such punishments only as are strictly and evidently necessary ; and no person can be punished, but in virtue of a law established and promulgated prior to the offence, and legally applied.

IX. Every man being presumed innocent till such time as he has been declared guilty, if it shall be deemed absolutely necessary to arrest a man, every kind of rigour employed, not necessary to secure his person, ought to be severely punished by the law.

X. No person shall be molested for his opinions, even such as are religious, provided that the manifestation of those opinions does not disturb the public order established by the law.

XI. The free communication of thought, and of opinion, is one of the most precious rights of man. Every citizen, therefore, may freely speak, write, and publish his sentiments ; subject, however, to answer for the abuse of that liberty, in cases determined by the law.

XII. The guarantee of the rights of men and citizens involves a necessity of *public force.*



*force.* This force is then instituted for the advantage of all, and not for the particular utility of those to whom it is confided.

XIII. For the maintenance of the public force, and for the expences of administration, a common contribution is indispensibly necessary: this contribution should be equally divided amongst all the citizens, in proportion to their abilities.

XIV. Every citizen has a right, by himself, or by his representatives, to decide concerning the necessity of the public contribution; to consent to it freely; to look after the employment of it; to determine the quantity, the distribution, the collection, and duration.

XV. Society has a right to demand from every public agent, an account of his administration.

XVI. That society in which the guarantee of rights is not assured, nor the separation of powers determined, has *no constitution*.

XVII. Property being a right inviolable and sacred, no person can be deprived of it, except when the public necessity, legally ascertained, shall evidently require it, and on condition of a just and previous indemnification.

THE NATIONAL ASSEMBLY, desirous of establishing the French Constitution on the principles which it has just now recognised and declared, abolishes, irrevocably, those institutions which are injurious to liberty, and equality of rights.

There is no longer any *nobility*, nor *peerage*, nor *hereditary distinctions*, nor *difference of orders*, nor *feudal government*, nor *patrimonial jurisdiction*, nor any of the *titles*, *denominations* and *prerogatives* which are derived from them ; nor any of the orders of *chivalry*, *corporations*, or *decorations*, for which proofs of nobility were required ; nor any kind of superiority, but that of public Functionaries in the exercise of their functions.

No public office is henceforth *hereditary* or *purchasable*.

No part of the nation, nor any individual, can henceforth possess any *privilege* or *exception* from the common rights of all Frenchmen.

There are no more *wardenships* or *corporations* in professions, arts, or trades.

The law recognises no longer any *religious vows*, nor any other engagement which would be contrary to natural rights, or to the Constitution.

TITLE

## TITLE I.

### FUNDAMENTAL REGULATIONS GUARANTEED BY THE CONSTITUTION.

THE Constitution guarantees, as natural and civil rights,

1. That all the citizens are admiffible to places and employments, without any other diftinction than that of *virtue* and *talents*.

2. That all taxes fhall be equally divided amongft all the citizens, inproportion to their abilities.

3. That the fame crimes fhall be fubject to the fame punifhments, without any diftinction of perfons.

The Constitution in like manner guarantees, as natural and civil rights, liberty to every man to go, ftay, or depart, without being arrefted, or detained, except according to the forms determined by the Constitution.

Liberty to every man to fpeak, write, print and publifh his thoughts, without the writings being fubjected to cenfure or infpection before their publication, and to exercife the religious worfhip to which he is attached.



Liberty to the citizens to assemble peaceably, and without arms, in complying with the laws of police.

Liberty to address to the constituted authorities, petitions signed by individuals.

The Legislative Power can make no law which would attack, or impede the exercise of the natural and civil rights expressed in the present title, and guaranteed by the Constitution ; but as liberty consists only in the power of doing whatever neither injures the rights of another, nor the public safety, the law may establish penalties against acts, which, attacking either the rights of others, or the public safety, would be injurious to society.

The Constitution guarantees the inviolability of property, or a just and previous indemnity for that, of which, public necessity, legally proved, shall require the sacrifice.

Property, destined to the expence of worship, and to all services of public utility, belongs to the nation, and shall at all times be at its disposal.

The Constitution guarantees all the alienations which have been, or which shall be made according to the forms established by the law.

The

The citizens have right to elect or chuse the ministers of their religions.

There shall be created and organised, a general establishment of *public aid* for the education of deserted children, to relieve the infirm poor, and to procure work for the healthy poor, who have not been able to find it for themselves.

There shall be created and organised a *public instruction*, common to all citizens, gratuitous with regard to those parts of tuition indispensable for all men, and of which the establishments shall be gradually distributed, in a proportion combined with the division of the kingdom.

There shall be established, *national festivals*, to preserve the remembrance of the French Revolution, to keep up fraternal affection amongst the citizens, and attachment to the constitution, the country, and the laws.

There shall be drawn up, a code of civil laws, common to all the kingdom.

## TITLE II.

OF THE DIVISION OF THE KINGDOM AND  
THE STATE OF THE CITIZENS.

I. THE KINGDOM is *one* and *indivisible* ; its territory is divided into eighty-three departments ; every department into districts ; each district into cantons.

II. Those are *French Citizens*,

Who are born in France, of a French father ;

Who, having been born in France, of a foreign father, have fixed their residence in the kingdom ;

Who, having been born in a foreign country, of a French father, have returned to settle in France, and have taken the civic oath.

In fine, who having been born in a foreign country, being descended, in whatever degree, from a Frenchman or Frenchwoman, who had left their country from religious motives, come to reside in France, and take the civic oath.

III. Those who, having been born out of the kingdom, of foreign parents, but reside in France, become French-Citizens, after  
five



five years of continued residence in the kingdom ; if, besides, they have acquired immovable property, or married a Frenchwoman, or formed an establishment of agriculture or commerce, and if they have taken the civic oath.

IV. The legislative power may, from important considerations, naturalize a foreigner, upon no other condition than that of residing in France, and taking the civic oath.

V. The civic oath is, “ *I swear to be faithful to the Nation, the Law, and the King ; and to maintain, with all my power, the constitution of the kingdom, decreed by the National Constituent Assembly, in the years 1789, 1790, and 1791.*”

VI. The quality of a French Citizen is lost :

1st, By naturalization in a foreign country ;

2d, By being condemned to penalties which involve the civic degradation, provided the person condemned be not re-instated ;

3d, By a sentence of contumacy, provided the sentence be not annulled ;

4th, By an association with any foreign order of chivalry, or any foreign body, which shall suppose either proofs of nobility,  
or

or distinction of birth, or require religious vows.

VII. The law regards *marriage* solely as a *civil contract*. The legislative power shall establish for all the inhabitants, without distinction, the mode by which births, marriages, and deaths, shall be ascertained, and shall appoint the public officers, who shall receive and preserve the certificates of them.

VIII. French Citizens, considered with respect to those local relations which arise out of their association in cities, and in certain divisions of territory in the country, form the *communities*.

The legislative power may fix the extent and boundary of each community.

IX. The Citizens who compose each community, have a right of choosing, for a time, according to the forms prescribed by the law, those among them, who, under the name of *municipal officers*, are charged with the management of the particular affairs of the community.

To the municipal officers may be delegated, certain functions relative to the general interest of the State.

X. The rules which the municipal officers shall be bound to follow in the exercise, both  
of

of the municipal functions, and of those which shall be delegated to them for the general interest, shall be fixed by the laws.

## T I T L E III.

### OF THE PUBLIC POWERS.

I. THE *sovereignty* is one, indivisible, inalienable, and imprescriptible; it belongs to the nation: no section of the people, nor any individual, can assume to itself the exercise of it.

II. The Nation, from which alone flow all the powers, cannot exercise them, but by delegation.

The French Constitution is *representative*; the representatives are the legislative body, and the king.

III. The legislative power is delegated to a National Assembly, composed of temporary representatives, freely chosen by the people, to be exercised by this Assembly, with the sanction of the King, in manner afterwards determined.

IV. The government is monarchical; the executive power is delegated to the King, to be



be exercised under his authority, by ministers and other responsible agents, in manner afterwards determined.

V. The judicial power is delegated to judges chosen for a time by the people.

## C H A P. I.

### OF THE NATIONAL LEGISLATIVE ASSEMBLY.

I. **T**HE National Assembly, forming the legislative body, is permanent, and consists of one chamber only.

II. It shall be formed by new elections every two years.

Each period of two years shall form one legislature.

III. The dispositions of the preceding articles shall not take place with respect to the ensuing legislative body, whose powers shall cease the last day of April 1793.

IV. The renewal of the legislative body shall be matter of full right.

V. The legislative body cannot be dissolved by the King.

SECTION I.

*Number of Representatives—Bases of Representation.*

I. THE number of representatives to the legislative body is seven hundred and forty-five, on account of the eighty-three departments of which the kingdom is composed, and independent of those that may be granted to the colonies.

II. The representatives shall be distributed among the eighty-three departments, according to the three proportions of *territory*, of *population*, and of *direct contribution*.

III. Of the 745 representatives, 247 are attached to the territory.

Of these each department shall nominate three, except the department of Paris, which shall only nominate one.

IV. Two hundred and forty-nine representatives are attributed to the population.

The total mass of the active population of the kingdom is divided into 249 parts, and each department nominates as many of the deputies

deputies as it contains parts of the population.

V. Two hundred and forty-nine representatives are attached to the direct contribution.

The sum total of the direct contribution of the kingdom is likewise divided into 249 parts ; and each department nominates as many deputies as it pays parts of the contribution.

## SECTION II.

### *Primary Assemblies—Nomination of Electors.*

I. IN order to form a National Legislative Assembly, the Active Citizens shall meet every two years, in Primary Assemblies, in the towns and cantons.

The Primary Assemblies shall form themselves, of full right, the second Sunday of March, if they have not been convoked sooner by the public officers established by law.

II. To be an Active Citizen, it is necessary,  
To be born, or to have become a Frenchman ;

To be twenty-five years of age complete ;  
To



To have resided in the city or canton during the time determined by the law ;

To pay, in any part of the kingdom, a direct contribution, at least equal to the value of three days labour, and to produce the acquittance ;

Not to be in a menial capacity, namely, that of a servant receiving wages ;

To be inscribed in the municipality of the place of his residence, in the list of the national guards ;

To have taken the civic oath.

III. Every fix years the legislative body shall fix the *minimum* and the *maximum* of the value of a day's labour, and the administrators of the departments shall determine the rate for every district.

IV. None shall exercise the rights for an active citizen in more than one place, nor employ another as his substitute.

V. Those shall be excluded from the rights of an active citizen,

Who are in a state of accusation ;

Who after having been constituted in a state of failure, or insolvability, proved by authentic documents, shall not produce a general discharge from their creditors.

VI. The Primary Assemblies shall name

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electors

electors in proportion to the number of active citizens residing in the town or canton.

There shall be named one elector for a hundred active citizens present, or not, in the Assembly.

There shall be named two for 151 to 250 ; and so on in this proportion.

VII. No man can be named elector, if along with the conditions necessary in order to be an active citizen, he does not join the following :—In towns of more than 6000 inhabitants, that of being proprietor or liferenter of a property valued on the rolls of contribution, at a revenue equal to the local value of 200 days labour ; or of renting a house, valued on the same rolls, at a revenue equal to the value of 150 days labour.

In towns below 6000 inhabitants, that of being proprietor, or liferenter of a property, valued on the rolls of contribution, at a revenue equal to the local value of 150 days labour ; or of renting a house, valued on the same rolls, at a revenue equal to the value of 100 days labour.

And, in the country, that of being proprietor or liferenter of a property, valued on the rolls of contribution, at a revenue equal to the local value of 150 days labour ;  
or

or of being a farmer of lands, valued on the same rolls, at the value of 400 days labour.

With respect to those who shall be at the same time proprietors or liferenters on one hand, and tacksmen or farmers on the other, their powers on these different accounts shall be added together, to establish their eligibility.

### SECTION III.

#### *Electoral Assemblies—Nomination of Representatives.*

I. THE electors named in each department shall convene in order to chuse that number of representatives, whose nomination shall belong to their department, and a number of substitutes equal to the third of the representatives.

The Electoral Assemblies shall form themselves, of full right, the last Sunday of March, if they have not been convoked sooner by the public officers appointed by law.

II. The representatives and substitutes shall be chosen by an absolute majority of



votes, and cannot be chosen but from amongst the active citizens in the department.

III. All the active citizens, whatever be their condition, profession, or contribution, may be chosen representatives of the nation.

IV. Those, however, shall be obliged to decide between one or other situation—Ministers, and other agents of the executive power, removeable at pleasure; Commissioners of the national treasury; Collectors and receivers of direct contributions; Superintendants of the collection, or management of indirect contributions and national domains, and those who, under any denomination whatever are attached to the employs of the military or civil household of the King.

The administrators, sub-administrators, municipal officers, and commandants of the national guards, shall also be obliged to make a choice.

V. The exercise of judiciary functions shall be incompatible with those of a representative of the nation, during all the continuance of the legislature.

The Judges shall be replaced by their substitutes, and the King shall provide, by  
briefs

briefs of commission, for the replacing of his commissaries at the tribunals.

VI. The members of the legislative body may be re-elected to the next legislature; but not afterwards, till after an interval of one legislature.

VII. The representatives named in the departments, shall not be representatives of a particular department, but of the whole nation, and no mandate can be given them.

#### SECTION IV.

##### *Session and Regulation of the Primary and Electoral Assemblies.*

I. THE Functions of the Primary and Electoral Assemblies are limited to the right of electing; and as soon as the elections are over, they shall separate, and shall not form themselves anew, but when they shall be convoked; if it be not in the case of Sect. II. Art. I. and of Sect. III. Art. I. above.

II. No active citizen can enter or vote in an assembly, if he is armed.

III. Armed force cannot be introduced in the meeting, except at the express desire of

the Assembly, unless in the case of actual violence, when the order of the President shall be sufficient to call in the aid of public force.

IV. Every two years, there shall be drawn up in each district, lists by cantons of the active citizens ; and the list of each canton shall be published and posted up two months before the meeting of the Primary Assembly. The protests which shall be made either against the right of citizens named in the list, or on the part of those who shall affirm that they are unjustly omitted, shall be carried to the tribunals, to be there summarily decided upon.

The list shall serve to regulate the admission of citizens in the next Primary Assembly, in every point that shall not have been ascertained by a sentence pronounced before the sitting of the Assembly.

V. The Electoral Assemblies have the right of verifying the qualifications and powers of those who shall present themselves there ; and their decisions shall be provisionally executed, with a reserve for the sentence of the legislative body at the time of the verification of the powers of deputies.

VI. In no case, and under no pretext,  
shall



shall the king, or any agents named by him, interfere in questions relative to the regularity of the convocations, the sitting of assemblies, the form of elections, or the political rights of citizens. Without prejudice, however, to the functions of the commissaries of the king, in the cases determined by law, where questions relative to the political rights of citizens ought to be carried to the tribunals.

#### SECTION V.

##### *Meeting of the Representatives in the National Legislative Assembly.*

I. THE representatives shall assemble on the first Monday of May, in the place of the meeting of the last legislature.

II. They shall form themselves, provisionally, into an Assembly, under the presidency of the eldest, to verify the powers of the representatives present.

III. As soon as these shall be verified, to the number of 373 members, they shall constitute themselves under the title of the *National Legislative Assembly*; they shall name

a president, vice-president, and secretaries, and enter upon the exercise of their functions.

IV. During the whole of the month of May, if the number of representatives present fall short of 373, the Assembly shall not perform any legislative act. They may issue an arrêt, enjoining the absent members to attend to their functions within fifteen days at farthest, under a penalty of 3000 livres, if they do not produce an excuse which shall be deemed lawful by the legislative body.

V. On the last day of May, whatever be the number of members present, they shall constitute themselves a National Legislative Assembly.

VI. The representatives shall pronounce in a body, in the name of the French people, the oath, "*to live free, or die.*"

They shall then individually take the oath, *to maintain, with all their power, the constitution of the kingdom, decreed by the National Constituent Assembly, during the years 1789, 1790, and 1791; to propose or assent to nothing in the course of the legislature, which may at all tend to infringe it; and to be, in every*

*every respect, faithful to the Nation, the Law, and the King.*

VII. The representatives of the nation are inviolable; they cannot be examined, accused, or judged at any time with respect to what they have said, written, or done, in the exercise of their functions of representatives.

VIII. They may for a crime be seized in the act, or in virtue of an order of arrest; but notice shall be given of it without delay, to the Legislative Body; and the prosecution shall not be continued, till after the Legislative Body shall have decided that there is ground for accusation.



## CHAP. II.

### OF THE ROYALTY, THE REGENCY, AND THE MINISTERS.

#### SECTION I.

##### *Of the Royalty and the King.*

I. **T**HE Royalty is indivisible, and delegated hereditarily to the race on the throne, from male to male, by order of primogeniture, to the perpetual exclusion of women and their descendants.

Nothing is prejudged respecting the effect of renunciations in the race on the throne.

II. The person of the king is sacred and inviolable: his only title is *King of the French*.

III. There is no authority in France superior to that of the law. The king reigns only by it, and it is only in the name of the law, that he can require obedience.

IV. The king, on his accession to the throne, or at the period of his majority, shall

shall take to the Nation, in the presence of the legislative body, the oath, “ *To be faithful to the Nation, and to the Law ; to employ all the power delegated to him, to maintain the Constitution decreed by the National Constituent Assembly in the years 1789, 1790, and 1791 ; and to cause the laws to be executed.*”

If the legislative body shall not be assembled, the king shall cause a proclamation to be issued, in which shall be expressed this oath, and a promise to repeat it as soon as the legislative body shall assemble.

V. If, one month after an invitation by the legislative body, the king has not taken this oath, or if after taking it he shall retract, he shall be deemed to have abdicated the royalty.

VI. If the king put himself at the head of an army, and direct the force of it against the Nation, or if he do not oppose, by a formal act, any such enterprise undertaken in his name, he shall be deemed to have abdicated.

VII. If the king, having gone out of the kingdom, do not return, on the invitation of the legislative body, and within the delay fixed by the proclamation, which cannot be  
less

less than two months, he shall be deemed to have abdicated.

The delay shall commence from the day when the proclamation of the legislative body shall have been published in the place of its sitting ; and the Ministers shall be obliged, under their responsibility, to perform all the acts of the executive power, the exercise of which shall be suspended in the hands of the absent king.

VIII. After abdication, express or legal, the king shall be in the class of citizens, and may be accused and tried like them, for acts posterior to his abdication.

IX. The particular effects which the king possesses at his accession to the throne, are irrevocably united to the domain of the Nation ; he has the disposition of those which he acquires on his own private account ; if he has not disposed of them, they are in like manner united at the end of the reign.

X. The Nation makes provision for the splendour of the throne by a civil list, of which the Legislative Body shall fix the sum at the commencement of each reign, for the whole duration of that reign.

XI. The king shall appoint an administrator of the civil list, who shall institute all  
suits



suits for the king, and against whom all actions for debts of the king shall be carried on, and judgments given and executed. Sentences of condemnation, obtained by the creditors of the civil list, shall be executed against the administrator personally and his private fortune.

XII. The king shall have, independent of the honorary guard which shall be furnished him by the citizens, national guards of the place of his residence, a guard paid from the funds of the civil list. It shall not exceed 1200 foot, and 600 horse.

The degrees and rules of advancement shall be the same in it as amongst the troops of the line. But those who compose the king's guards, shall pass through all the degrees exclusively amongst themselves, and cannot obtain any in the army of the line.

The king cannot choose his guards, but amongst those who are at present in active service in the troops of the line, or amongst the citizens who have served a year in the national guards, provided they are residents in the kingdom, and that they have previously taken the civic oath.

The king's guards cannot be ordered or required for any other public service.

SECTION

## SECTION. II.

*Of the Regency.*

I. THE king is a minor till the age of eighteen complete ; and during his minority, there shall be a regent of the kingdom.

II. The regency belongs to the relation of the king, who is the next in degree according to the order of succession to the throne, and who has attained the age of twenty-five, provided he be a Frenchman resident in the kingdom, and not presumptive heir to any other crown, and have taken the civic oath.

Women are excluded from the regency.

III. If a minor king have no relations who unite the above qualities, the regent of the kingdom shall be elected as is directed in the following article :

IV. The Legislative Body shall not elect the regent.

V. The electors of each district shall assemble in the chief place of their district; after a proclamation, which shall be issued in the first week of the new reign, by the legislative body if convened ; and if separated,  
the

the minister of justice shall be bound to make that proclamation in the same week.

VI. The electors shall name in every district, by individual scrutiny, and absolute plurality of votes, a citizen eligible, and resident in the district, to whom they shall give by the proces-verbal of the election, a special mandate, limited to the sole function of electing the citizen whom he shall judge in his heart and conscience the most worthy of being regent of the kingdom.

VII. The citizens having these mandates, elected in the districts, shall be bound to assemble in the town where the legislative body holds its seat, the fortieth day at farthest, counting from that of the advancement of the minor king to the throne ; and they shall form there the electoral assembly who shall proceed to the nomination of the regent.

VIII. The election of the regent shall be made by individual scrutiny and absolute plurality of votes.

IX. The electoral assembly cannot employ itself, but relative to this election, and shall separate as soon as the election is finished.—Every other act which it shall attempt, is declared unconstitutional, and of no effect.

X. The



X. The electoral assembly shall make its president present the proces-verbal of the election to the legislative body, who after having verified the regularity of the election, shall make it public over all the kingdom by a proclamation.

XI. The regent exercises, till the king's majority, all the functions of royalty, and is not personally responsible for the acts of his administration.

XII. The regent cannot begin the exercise of his functions, till after taking to the nation, in the presence of the legislative body, an oath, "*To be faithful to the nation, the law, and the king; and to employ all the power delegated to the king, and of which the exercise is confided to him during the minority of the king, to maintain the constitution decreed by the National Constituent Assembly, in the years 1789, 1790, and 1791, and to cause the laws to be executed.*"

If the legislative body is not assembled, the regent shall cause a proclamation to be issued, in which shall be expressed this oath, and a promise to repeat it as soon as the legislative body shall be met.

XIII. As long as the regent is not entered on the exercise of his functions, the sanction  
of

of the laws remains suspended ; the ministers continue to perform, under their responsibility, all the acts of the executive power.

XIV. As soon as the regent shall take the oath, the legislative body shall fix his allowance, which shall not be altered during his regency.

XV. If on account of the minority of the relation called to the regency, it has devolved to a more distant relation, or been settled by election, the regent who shall have entered on the exercise of it, shall continue his functions till the majority of the king.

XVI. The regency of the kingdom confers no right over the person of the minor king.

XVII. The care of the minor king shall be confided to his mother ; and if he has no mother, or if she be married again at the time of her son's accession to the throne, or if she marry again during the minority, the care of him shall be delegated by the legislative body.

Neither the regent, nor his descendants, nor a woman, can be chosen as guardian of the minor king.

XVIII. In case of the king's insanity, notoriously admitted, legally proved, and declared,

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clared.

clared by the legislative body, after three successive deliberations held monthly, there shall be a regency, as long as such incapacity continues.

### SECTION III.

#### *Of the Royal Family.*

I. THE presumptive heir shall bear the name of *Prince Royal*. He cannot go out of the kingdom, without a decree of the legislative body, and the king's consent.

If he is gone out of it, and if, being arrived at eighteen years of age, he do not return to France, after being required by a proclamation of the legislative body, he is held to have abdicated the right of succession to the throne.

II. If the presumptive heir be a minor; the relation of full age, and next in order to the regency, is bound to reside within the kingdom. In case of his going out of it, and not returning on the requisition of the legislative body, he shall be held to have abdicated his right to the regency.

II. The mother of the minor king, having



ing the care of him, or the guardian elected, if they go out of the kingdom, forfeit their charge.

If the mother of the presumptive heir, a minor, go out of the kingdom, she cannot, even after her return, have the care of her minor son, become king, but by a decree of the legislative body.

IV. A law shall be made to regulate the education of the minor king, and that of the minor heir presumptive.

V. The members of the royal family called to the eventual succession to the throne, enjoy the rights of an active citizen, but are not eligible to any places, employs, or functions, in the nomination of the people.

Excepting the places of ministers, they are capable of offices and employs in the nomination of the king ; however, they cannot be commanders in chief of any army or fleet, nor fulfil the functions of ambassadors, without the consent of the legislative body, granted on the proposition of the king.

VI. The members of the royal family, called to the eventual succession to the throne, shall add the denomination of *French Prince*, to the name which shall have been given them in the civil act, stating their birth ; and

this name can neither be patronymic, nor formed of any of the qualifications abolished by the present constitution.

The denomination of *Prince* cannot be given to any other individual, and shall convey no privilege; nor any exception to the common rights of all Frenchmen.

VII. The acts, by which shall be legally stated the births, marriages, and deaths of the French princes, shall be presented to the legislative body, who shall command the deposit of them in their archives.

VIII. No real apanage (in land) shall be granted to the members of the royal family.

The younger sons of the king shall receive, at the age of twenty-five, or on their marriage, an annuity, the amount of which shall be fixed by the legislative body, and which shall terminate with the extinction of their male heirs.

#### SECTION IV.

##### *Of Ministers.*

I. To the king alone belongs the choice and revocation of ministers.

II. The

II. The members of the present national assembly, and succeeding legislatures, the members of the tribunal of annulment, and those who shall serve in the high jury, cannot be advanced to the ministry, nor receive any offices, gifts, pensions, salaries, or commissions from the executive power, or its agents, during the continuance of their functions, nor during two years after having finished the exercise of them.

The same shall be the case with respect to those who shall be only inscribed in the list of the high jury, during all the time that their inscription shall continue.

III. No one can enter upon the exercise of any employ, either in the bureaux of ministers, or in those of the administrations of public power, without having taken the civic oath, and having verified his having taken it.

IV. No order of the king can be executed, if it be not signed by him, and countersigned by the minister or comptroller of the department.

V. The ministers are responsible for all the offences committed by them against the national safety and the constitution ;



For every attack on individual property and liberty ;

For every waste of the money allotted for the expences of their department.

VI. In no case can the written or verbal order of a king, shelter a minister from responsibility.

VII. The ministers are bound to present every year to the legislative body, at the opening of the session, the state of the expences of their department ; to give an account of the employment of the sums destined for that purpose, and to mention the abuses which may have crept into the different parts of the government.

VIII. No minister, in or out of place, can be criminally prosecuted for any transaction of his administration, without a decree of the legislative body.

C H A P. III.

OF THE EXERCISE OF THE LEGISLATIVE  
POWER.

SECTION I.

*Powers and Functions of the National Legis-  
lative Assembly.*

I. **T**HE constitution delegates exclusively to the legislative body, the powers and functions following :

1. To propose and decree laws : the king can only invite the legislative body to take an object into consideration.

2. To fix the public expences.

3. To establish the public contributions—to determine their nature, quantity, duration, and mode of collection.

4. To divide the direct contribution amongst the departments of the kingdom—to superintend the employ of all the public revenue, and to demand an account of it.

5. To decree the creation or suppression of public offices.

6. To determine the quality, weight, impression, and name of the coin.

7. To permit or prohibit the introduction of foreign troops into the French territories, and of foreign naval forces into the ports of the kingdom.

8. To fix annually, after the proposition of the king, the number of men and ships of which the land and naval armies shall be composed ; the pay and number of individuals of each rank ; the rules of admission and promotion ; the forms of enrolment and discharge ; the formation of naval equipments ; the admission of foreign troops, or naval forces, into the service of France ; and the pay of the troops, in case of their being disbanded.

9. To regulate the administrative government, and the alienation of the national domains.

10. To prosecute before the high national court, the ministers and principal agents of the executive power, in what relates to their responsibility.

To accuse and prosecute before the same court, those who shall be charged with any  
attack



attack or conspiracy against the general safety of the state, or against the constitution.

11. To establish the laws, according to which marks of honour or decorations purely personal, shall be granted to those who have rendered services to the state.

12. The legislative body have the right to decree public honours to the memory of great men.

II. War cannot be determined on, but by a decree of the legislative body, passed on the formal and necessary proposition of the king, and sanctioned by him.

In the case of imminent or commenced hostilities, of an ally to be supported, or a right to be preserved by force of arms, the king shall notify the same without delay to the legislative body, and shall declare the reasons of it.

If the legislative body be not sitting, the king shall assemble it immediately.

If the legislative body decide that war ought not to be made, the king shall immediately take measures to stop or prevent all hostilities, the ministers being responsible for delays.

If the legislative body find that the hostilities

ties commenced are a palpable aggression on the part of ministers, or any other agent of the executive power, the author of the aggression shall be prosecuted criminally.

During the whole course of war, the legislative body may require the king to negotiate peace, and the king is bound to yield to this requisition.

On the immediate conclusion of war, the legislative body shall fix the time within which the troops levied above the peace establishment, shall be discharged, and the army reduced to its ordinary state.

III. It belongs to the legislative body to ratify treaties of peace, alliance and commerce; and no treaty shall have effect but by this ratification.

IV. The legislative body has the right of determining the place of its sittings, of continuing them as long as it shall think necessary, and of adjourning; at the commencement of each reign, if it be not sitting, it shall be bound to meet without delay.

It has the right of police in the place of its sitting, and to such extent around it as shall be determined.

It has the right of discipline over its members;

bers ; but it can pronounce no heavier punishment than censure, arrest for eight days, or imprisonment for three.

It has the right of disposing, for its safety, and the respect that is due to it, of the forces which shall be placed, by its consent, in the city where it shall hold its sittings.

V. The executive power cannot march, or quarter or station any troops of the line within thirty thousand toises of the legislative body, except on its requisition, or by its authority.

## SECTION II.

### *Holding of the Sittings, and Form of Deliberating.*

I. THE deliberations of the legislative body shall be public, and the proceedings of its sittings shall be printed.

II. The legislative body may, however, on any occasion, form itself into a *general committee*.

Fifty members shall have a right to demand this.

During the continuance of the general committee,



committee, the assistants shall retire, the chair of the president shall be vacant, and order shall be maintained by the vice-president.

III. No legislative act can be debated and decreed, except in the following form :

IV. The plan of a decree shall be read thrice, at three intervals, the shortest of which cannot be less than eight days.

V. The discussion shall be open after every reading ; nevertheless after the first or second reading, the legislative body may declare that there is reason for adjournment, or that there is no need for deliberation ; in this last case, the plan of the decree may be introduced again in the same session.

Every plan of a decree shall be printed and distributed before the second reading of it can be commenced.

VI. After the third reading, the president shall be bound to propose it to deliberation ; and the legislative body shall decide, whether they are qualified to pass a definitive decree, or would rather choose to postpone their decision, in order to gather more ample information on the subject.

VII. The legislative body cannot deliberate, if the meeting do not consist of at least

two

two hundred members : and no decree shall be made, except by the absolute majority of votes.

VIII. No plan of a law, which, after having been submitted to discussion, shall have been rejected after the third reading, can again be introduced the same session.

IX. The preamble of every definitive decree shall announce, first, the dates of those sittings at which the three readings of the plan of the decree were made ; second, the decree by which it shall have been appointed after the third reading, to decide definitively.

X. The king shall refuse his sanction to the decrees whose preamble shall not attest the observance of the above forms ; if any of those decrees be sanctioned, the ministers shall neither put to it the seal, nor promulgate it, and their responsibility in this respect shall continue six years.

XI. Excepting from these regulations, decrees recognized, and declared urgent by a previous deliberation of the legislative body : but they may be modified, or revoked, in the course of the same session.

The decree by which a matter shall have been declared urgent, shall announce the reasons

reasons of it, and there shall be mention made of this previous decree in the preamble of the definitive decree.

### SECTION III.

#### *Of the Royal Sanction.*

I. THE decrees of the legislative body are presented to the king, who may refuse his assent to them.

II. In the case of a refusal of the royal assent, that refusal is only *suspensive*.

When the two following legislatures which shall follow that in which the decree was presented, shall successively re-present the same decree in the same terms in which it was originally conceived, the king shall be deemed to have given his sanction.

III. The assent of the king is expressed to each decree, by the following *formula*, signed by the king: *The king consents, and will cause it to be executed.*

The suspensive refusal is thus expressed: *The king will examine.*

IV. The king is bound to express his assent,



sent, or refusal, to each decree, within two months after it shall have been presented.

V. No decree to which the king has refused his assent, can be presented to him by the same legislature.

VI. The decrees sanctioned by the king, and those which have been presented to him by three successive legislatures, alone have the force of a law, and bear the name and title of *laws*.

VII. There shall be, however, executed as laws without being subjected to sanction, those acts of the legislative body which relate to its constitution as a deliberating assembly ;

Its interior police, and that which it may exercise in the external space, which it shall have determined ;

The verification of the powers of the members present ;

The injunctions to absent members ;

The convocation of the primary assemblies in case of delay ;

The exercise of constitutional superintendence over the administrators and municipal officers ;

Questions of eligibility, or the validity of elections.

Exempting

Exempting likewise from sanction, acts relative to the responsibility of ministers, and all decrees importing that there is ground of accusation.

VIII. The decrees of the legislative body, concerning the establishment, prorogation, and collection of public contributions, shall bear the name and title of laws ; they shall be promulgated and executed without being subject to sanction, except with respect to those dispositions, which should establish other penalties than pecuniary fines and constraints.

These decrees cannot be passed but after the observation of the formalities prescribed by the articles 4, 5, 6, 7, 8, and 9, of sect. II. of the present chapter ; and the legislative body shall not insert in them any dispositions foreign to their object.

#### SECTION IV.

##### *Connection of the Legislative Body with the King.*

I. WHEN the legislative body is definitively constituted, it shall send a deputation  
to

to inform the king. The king may every year open the session, and propose the objects, which, during its continuance, he thinks ought to be taken into consideration ; this form, however, is not to be considered as *necessary* to the activity of the legislative body.

II. When the legislative body wishes to adjourn longer than fifteen days, it is bound to inform the king, by a deputation, at least eight days previous.

III. A week, at least, before the end of each session, the legislative body shall send a deputation to the king, to announce to him the day on which it proposes to terminate its sittings. The king may come, in order to close the session.

IV. If the king find it of importance to the welfare of the State, that the session be continued, or that the adjournment be put off, or take place only for a shorter time, he may send a message to this effect, on which the legislative body is bound to deliberate.

V. The king shall convoke the legislative body, during the interval of its session, at all times when the interest of the State shall appear to him to require it, as well as in those cases which the legislative body shall

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have



have foreseen and determined, previous to their adjournment.

VI. Whenever the king shall visit the place of meeting of the legislative body, he shall be received and conducted back by a deputation; he cannot be accompanied into the inner part of the hall by any except the prince royal and the ministers.

VII. The president can in no case form part of a deputation.

VIII. The legislative body shall cease to be a deliberating body whilst the king shall be present.

IX. The acts of correspondence of the king with the legislative body, shall be always countersigned by a minister.

X. The ministers of the king shall have admission into the national legislative assembly; they shall have a place assigned them; they shall be heard always when they demand it on objects relative to their administration, or when they shall be required to give information. They shall also be heard on objects foreign to their administration, when the national assembly shall grant them liberty to speak.

## C H A P. IV.

## OF THE EXERCISE OF THE EXECUTIVE POWER.

I. **T**HE *supreme* executive power resides exclusively in the hands of the king.

The king is the supreme head of the general administration of the kingdom: the care of watching over the maintenance of public order and tranquillity is entrusted to him.

The king is the supreme head of the land and sea forces.

To the king is delegated the care of watching over the exterior security of the kingdom, and of maintaining its rights and possessions.

II. The king names ambassadors, and the other agents of political negotiations.

He bestows the command of armies and fleets, and the ranks of Marshal of France and Admiral.

He names two thirds of the rear-admirals, one half of the lieutenant-generals, camp marshals, captains of ships and colonels of the national gendarmerie.

He names a third of the colonels and lieutenant-colonels, and a sixth of the lieutenants of ships—the whole in conformity to the laws with respect to promotion.

He appoints, in the civil administration of the marine, the directors, the comptrollers, the treasurers of the arsenals, the masters of the works, the under-masters of civil buildings, half of the masters of administration, and of the under-masters of construction.

He appoints the commissaries of the tribunals.

He appoints the chief superintendants of the administration of indirect contributions, and the administration of national domains.

He superintends the coinage of money, and appoints the officers entrusted with this superintendence in the general commission and the mints.

The effigy of the king is struck on all the coinage of the kingdom.

III. The king orders letters patent, brevets, and commissions, to be delivered to all the public offices that ought to receive them.

IV. The king orders a list of pensions and gratifications to be made out, for the purpose



pose of being presented to the legislative body each session, and decreed, if there is reason for it.

## SECTION I.

### *Of the Promulgation of Laws.*

I. THE executive power is charged with ordering the seal of state to be put to laws, and causing them to be promulgated.

It is equally charged with causing to be promulgated and executed, those acts of the legislative body which have no need of the sanction of the king.

II. Two copies of each law shall be made, both signed by the king, countersigned by the minister of justice, and sealed with the seal of State. The one shall be deposited in the archives of the seal, and the other shall be sent to the archives of the legislative body.

III. The promulgation of laws shall be thus expressed :

“ N. (the king’s name) by the grace of  
“ God, and the constitutional law of the  
“ State, King of the French, to all present

“ and to come, greeting. The National  
 “ Assembly has decreed, and we will and  
 “ ordain as follows :

(Here a literal copy of the decree shall  
 be inserted, without any variation.)

“ We command and ordain to all admini-  
 “ strative bodies and courts of justice, to  
 “ cause these presents to be transcribed on  
 “ their registers, read and published, and  
 “ posted up in their departments and re-  
 “ spective places of resort, and executed as  
 “ a law of the realm ; in witness of which  
 “ we have signed these presents, to which  
 “ we have caused the seal of the State to be  
 “ put.”

IV. If the king be a minor, laws, pro-  
 clamations, and other acts proceeding from  
 the royal authority during the regency, shall  
 be conceived in these terms :

“ N. (the name of the regent) regent of  
 “ the kingdom, in the name of N. (the king’s  
 “ name) by the grace of God and the consti-  
 “ tutional law of the State, King of the  
 “ French, &c.

V. The executive power is bound to send  
 the laws to the administrative bodies and  
 courts of justice, to be certified that they  
 are

are so sent, and to answer for it to the legislative body.

VI. The executive power cannot make any law, not even provisional, but merely proclamations, conformable to the laws, to ordain or enforce the execution.

## SECTION II.

### *Of the Interior Administration.*

I. THERE is in each department a superior administration, and in each district a subordinate administration.

II. The administrators have no character of representation.

They are agents, chosen for a time by the people, to exercise, under the superintendence and the authority of the king, the administrative functions.

III. They can neither intermeddle in the exercise of the legislative power, nor suspend the execution of the laws, nor assume any authority over judicial proceedings, nor over military regulations or operations.

IV. The administrators are essentially  
F 4
charged



charged with the repartition of the direct taxes, and with the superintendence of the funds arising from all the contributions and public revenues in their territory.

It belongs to the legislative power to determine the rules and mode of their functions, both with respect to the objects above mentioned, as well as with respect to all the other parts of the interior administration.

V. The king has the right of annulling such acts of the administrators of department, as are contrary to the law, or the orders he has transmitted to them.

He may, in case of obstinate disobedience, or of their endangering, by their acts, the safety or peace of the public, suspend them from their functions.

VI. The administrators of department have also the right of annulling the acts of the sub-administrators of district, contrary to the laws or to the arrets of administrators of department, or to the orders which the latter shall have given or transmitted.

They may likewise, in case of an obstinate disobedience on the part of the sub-administrators, or if the latter endanger, by their  
acts,

acts, the public safety or tranquillity, suspend them from their functions, with the reserve of informing the king, who may remove or confirm the suspension.

VII. The king, if the administrators of department shall not use the power which is delegated to them in the article above, may directly annul the acts of sub-administrators, and suspend them in the same cases.

VIII. Whenever the king shall pronounce or confirm the suspension of administrators, or sub-administrators, he shall inform the legislative body. This body may either remove or confirm the suspension, or even dissolve the culpable administration ; and if there be ground, remit all the administrators, or some of them, to the criminal tribunals, or enforce against them the decree of accusation.

## SECTION. III.

*Of External Connections.*

I. THE king alone can keep up foreign political connections, conduct negotiations, make preparations of war, proportioned to those of the neighbouring states ; distribute the land and sea forces, as he shall judge most suitable, and regulate their direction in case of war.

II. Every declaration of war shall be made in these terms : *By the King of the French, in the name of the Nation.*

III. It belongs to the king to resolve and sign with all foreign powers, all treaties of peace, alliance and commerce, and other conventions, which he shall judge necessary for the welfare of the State, with a reserve for the ratification of the legislative body.



## C H A P. V.

## OF THE JUDICIAL POWER.

I. **T**HE judicial power can in no case be exercised, either by the legislative body, or the king.

II. Justice shall be gratuitously rendered, by judges chosen for a time by the people, instituted by letters patent of the king, who cannot refuse to grant them. They cannot be deposed, but for forfeiture duly judged ; nor suspended, but for an accusation admitted.

The public accusers shall be named by the people.

III. The tribunals cannot either interfere in the exercise of the legislative power, or suspend the execution of the laws, or undertake the administrative functions, or cite before them the administrators, on account of their functions.

IV. The citizens cannot be withdrawn from the judges whom the law assigns to them by any commission, or by any other attributions

attributions or evocations than those which are determined by the laws.

V. The right of the citizens to terminate definitively their disputes by the way of arbitration, shall receive no infringement from the acts of the legislative power.

VI. The ordinary courts of justice cannot receive any civil action, until it be certified to them that the parties have appeared, or that the pursuer has cited the opposite party to appear before *mediators*, to endeavour to bring about a reconciliation.

VII. There shall be one or more judges of peace in the canton and in the towns. The number of them shall be determined by the legislative power.

VIII. It belongs to the legislative power to regulate the number and extent of jurisdiction of the tribunals, and the number of judges of which each tribunal shall be composed.

IX. In *criminal* matters, no citizen can be tried but on an accusation received by a jury, or decreed by the legislative body, in the cases where it belongs to it to pursue the accusation.

After the admission of the accusation, the  
fact

fact shall be recognized and declared by a jury.

The accused shall have a right to refuse, as far as twenty jurors, without assigning reasons.

The jury which declares the fact, cannot be of fewer than twelve members.

The application of the law shall be made by judges.

The instruction of the process shall be public, and the assistance of counsel cannot be refused to the accused.

No man, acquitted by a lawful jury, can be retaken or accused on account of the same fact.

X. No man can be seized upon, but in order to be conducted before an officer of police: and no man can be arrested or detained, but in virtue of a mandate of the officers of police; of an order for personal arrestation by a tribunal; of a decree of accusation of the legislative body, in the cases where it belongs to it to pronounce; or of a sentence of imprisonment or detention for the sake of correction.

XI. Every man, seized upon and conducted before an officer of police, shall be examined



amined immediately, or at latest in twenty-four hours.

If it result from the examination, that there be no ground for blame against him, he shall be directly set at liberty ; or if there be ground to send him to a house of arrest, he shall be conducted there with the least delay possible, and that in any case cannot exceed three days.

XII. No man arrested, can be detained if he give sufficient bail, in all cases where the law permits a man to remain free under bail.

XIII. No man, in the cases when detention is authorised by the law, can be conducted or detained any where, but in those places legally, and publicly marked out as houses of arrest, of justice, or prisons.

XIV. No guard nor jailor can receive or detain any man, but in virtue of a mandate, order of arrest, decree of accusation, or sentence mentioned in the tenth article above, nor without transcribing them in his own register.

XV. Every guard or jailor is bound, and no order can release him from the obligation, to produce the person detained to the civil officer who superintends the police of the  
house

house of arrest, as often as it shall be required of him.

The production of the person detained, cannot also be refused to his relations and friends, who bring an order from the civil officer, who shall be bound always to grant it, unless the guard or jailor produce an order from a judge, transcribed in his register, to keep the person arrested secret.

XVI. Every man, whatever be his place or occupation, except those to whom the law confides the right of arrestation, who shall give, sign, execute, or make to be executed, an order to arrest a citizen; or whoever, even in the cases of arrestation authorized by the law, shall conduct, receive, or retain a citizen, in a place of detention not publicly and legally marked out; and every guard or jailor who shall act in opposition to the disposition of the above XIV. and XV. articles, shall be culpable of the crime of arbitrary detention.

XVII. No man can be taken up, or prosecuted, on account of the writings which he has made to be printed or published, whatever be their subject, if he has not *designedly* provoked disobedience to the law, outrage to the established powers, and resistance

fistance to their acts, or any of the actions declared crimes or offences by the law.

The censure of all the acts of the established powers is permitted ; but voluntary calumnies against the probity of public officers, and against the rectitude of their intentions in the exercise of their functions, may be prosecuted by those who are the subject of them.

Calumnies, or injurious sayings against any kind of persons, relative to the actions of their private life, shall be punished by prosecution.

XVIII. No man can be judged, either civilly or criminally, for acts of writing, printing or publishing, except it has been recognised and declared by a jury, 1st, that there is an offence in the writing denounced ; 2d, that the person prosecuted is guilty of it.

XIX. There shall be, for the whole kingdom, one only tribunal of annulment, established near the legislative body. Its functions shall be, to pronounce

On demands of annulment of judgments given in the last resort by the tribunals ;

On demands of being remitted from one  
tribunal



tribunal to another, for lawful causes of suspicion;

On regulations respecting judges, and suits against a whole tribunal.

XX. In questions of annulment, the tribunal of annulment shall never take cognizance of the affair itself; but after having annulled the sentence which shall have been pronounced in a process, and in which the forms have been violated, or which shall contain an express contradiction to the law, it shall remit the original affair to the tribunal which ought to decide on it.

XXI. When, after being twice annulled a sentence pronounced by a third tribunal shall be attacked on the same grounds as at first, the question shall no more be judged by the tribunal of annulment, without having been submitted to the legislative body, who shall pass a decree declarative of the law, to which the tribunal of annulment shall be bound to conform.

XXII. Every year, the tribunal of annulment shall be bound to send to the bar of the legislative body, a deputation of eight of its members, to present a state of the decisions passed; on the margin of each of which shall be placed a short account of

the affair, and the text of the law which shall have determined the decision.

XXIII. A high national court, formed of the members of the tribunal of annulment, and of high jurors, shall take cognizance of offences committed by the ministers and principal agents of the executive power, and of those crimes which attack the general safety of the State, after the legislative body shall have passed a decree for accusation.

It shall not be assembled but at the proclamation of the legislative body, and at the distance of thirty thousand toises at least from the place where the legislative body holds its meetings.

XXIV. The orders issued for executing the judgments of the tribunals, shall be conceived in these terms :

“ N. (the name of the king) by the grace  
 “ of God, and by the constitutional law of  
 “ the State, King of the French, to all present and to come, greeting. The tribunal  
 “ of ——— has passed the following judgment :” [Here shall follow a copy of the judgment, in which shall be mentioned the names of the judges.]

“ We charge and enjoin all officers, upon  
 “ the present demand, to put the said judgment  
 “ ment

“ ment into execution, our commissaries of  
 “ the tribunals to enforce the same, and all  
 “ the commanders and officers of the public  
 “ force to be assisting with their force, when  
 “ it shall be legally required: In witness of  
 “ which, the present judgment has been  
 “ signed by the president of the tribunal,  
 “ and by the register.”

XXV. The functions of the king's commissaries in the tribunals, shall be, to require the observance of the laws in the judgments to be given, and to cause them to be executed after they are passed.

They shall not be public accusers ; but they shall be heard on all accusations, and shall require, during process, regularity of forms, and, before judgment application of the law.

XXVI. The king's commissaries in the tribunals shall denounce to the director of the jury, either officially, or according to orders given them by the king ;

Offences against the individual liberty of citizens, against the free circulation of provisions and other objects of commerce, and against the collection of contributions ;

Offences by which the execution of orders given by the king, in the exercise of the



functions delegated to him, shall be disturbed or impeded ;

Infringements on the laws of nations ; opposition to the execution of judgments ; and to all executive acts proceeding from established powers.

XXVII. The minister of justice shall denounce to the tribunal of appeal, by means of the king's commissary, and without prejudice to the rights of the parties interested, the acts in which the judges have exceeded the bounds of their power.

The tribunal shall annul these acts ; and if they give ground for forfeiture, the fact shall be represented to the legislative body, which shall pass the decree of accusation if there be ground, and refer the parties informed against to the high national court.

## T I T L E IV.

### OF THE PUBLIC FORCE.

I. THE public force is instituted to defend the State against external enemies, and to maintain internal order and the execution of the laws.

II. It is composed,  
Of the land and sea armies ;  
Of the troops specially destined for home service ;

And, subsidiarily, of the active citizens, and their children of age to bear arms, registered in the roll of national guards.

III. The national guards do not form a military body, or an institution in the State ; they are the citizens themselves, called to assist the public force.

IV. The citizens can never embody themselves, or act as national guards, but by virtue of a legal requisition or authority.

V. They are subject in this quality to an organization, to be determined by the law.

They shall be distinguished in the whole kingdom, by only one form of discipline, and one uniform.

Distinctions of rank and subordination, subsist only relatively to the service, and during its continuance.

VI. Officers are chosen for a time, and cannot again be chosen till after a certain interval of service as soldiers.

None shall command the national guard of more than one district.

VII. All the parts of the public force employed for the safety of the state from foreign enemies, shall act under the command of the king.

VIII. No body or detachment of troops of the line can act in the internal part of the kingdom without a legal order.

IX. No agent of the public force can enter the house of a citizen, if it be not on purpose to execute the orders of police and of justice, or in cases formally provided for by the law.

X. The requisition of the public force, in the internal part of the kingdom, belongs to the civil officers, according to the regulations provided by the legislative power.

XI. When any department is throughout  
in



in a state of commotion, the king shall issue, under the responsibility of ministers, the necessary orders for the execution of laws, and the re-establishment of order ; but with the reserve of informing the legislative body if it be assembled, and of convoking it if it be not fitting.

XII. The public force is *essentially obedient* ; no armed body can deliberate.

XIII. The land and sea armies, and the troops destined to preserve internal security, are subjected to particular laws, both for the maintenance of discipline, and for the manner of judgments, and the nature of punishments, on occasion of military offences.

## TITLE V.

## OF PUBLIC CONTRIBUTIONS.

I. PUBLIC contributions shall be debated and fixed every year by the legislative body, and cannot continue in force longer than the last day of the following session, if they are not expressly renewed.

II. The funds necessary to the discharge of the national debt, and the payment of the civil list, can, under no pretext, be refused or suspended.

The salaries of the ministers of the catholic religion, who are paid, preserved, elected, or named in virtue of the decrees of the National Constituent Assembly, form a part the national debt.

The legislative body cannot, in any case, charge the Nation with the payment of the debts of any individual.

III. The accounts at full length of the ministerial department, signed and certified by the ministers or commissioners, shall be rendered public, by being printed at the commencement of the session of each legislature.

So

So shall also the state of receipts of the different taxes, and all the public revenues.

The state of receipt and expenditure shall be distinguished according to their nature, and shall express the sums received and disbursed, year by year, in each district.

The private expences of each department, and those relative to the tribunals, the administrative bodies, and other establishments, shall also be rendered public.

IV. The administrators of department, and sub-administrators, can neither establish any public contribution, nor make any distribution beyond the time and the sums fixed by the legislative body ; nor deliberate, or permit, without being authorized by it, any local loan to be charged to the citizens of the department.

V. The executive power directs and superintends the collection and paying in of contributions, and gives all the necessary orders to this effect.



## TITLE VI.

## OF THE CONNECTION OF THE FRENCH NATION WITH OTHER NATIONS.

THE French nation renounces the undertaking of any war with a view to make conquests, and will never employ its forces against the liberty of any people.

The constitution no longer admits the *Droit d'Aubaine*.

Foreigners, whether settled in France or not, inherit the property of their parents, whether Foreigners or Frenchmen.

They can contract, acquire, and receive property situated in France, and dispose of it as well as any French citizen, in every mode authorized by the laws.

Foreigners in France are subject to the same criminal laws and regulations of police as French citizens, with a reserve for conventions agreed on with foreign powers. Their persons, effects, industry, and religion, are equally protected by the law.

TITLE

## T I T L E VII.

OF THE REVISION OF CONSTITUTIONAL  
DECREES.

I. THE National Constituent Assembly declares, that the Nation has an imprescriptible right to change its constitution ; and nevertheless, considering that it is most suitable to the national interest to make use, only by means appointed by the constitution itself, of the right of reforming those articles which experience shall demonstrate the inconvenience of, decrees, that the assembly of revision shall proceed in the following manner :

II. When three following legislatures shall have declared an uniform wish for the change of any constitutional article, the revision demanded shall take place.

III. The ensuing legislature (that commencing in 1791) cannot propose the reform of any constitutional article.

IV. Of the three legislatures who shall successively propose any changes, the first  
two

two shall not occupy themselves relative to that object, but in the last two months of their last session, and the third at the end of its first annual session, or at the beginning of the second.

Their deliberations on that matter shall be subjected to the same forms as the legislative acts ; but the decrees by which they shall have expressed their desires shall not be subjected to the sanction of the king.

V. The fourth legislature, augmented by two hundred and forty-nine members chosen in each department, by doubling the ordinary number which it furnishes for its population, shall constitute the assembly of revision.

These two hundred and forty-nine members shall be elected, after the nomination of representatives to the legislative body shall have been terminated, and there shall be formed a separate proces-verbal of it.

The assembly of revision shall not be composed of more than one chamber.

VI. The members of the third legislature, who shall have demanded a change, cannot be elected in the assembly of revision.

VII. The members of the assembly of revision, after having pronounced all at once  
the



the oath, “ *to live free or die,*” shall individually swear, *to confine themselves to decide on the objects which shall have been submitted to them by the unanimous wish of three preceding legislatures; and to maintain, in other respects, with all their power, the constitution of the kingdom, decreed by the National Constituent Assembly in the years 1789, 1790, and 1791; and to be in all faithful to the Nation, to the Law, and to the King.*

VIII. The assembly of revision shall be bound to occupy itself afterwards, and without delay, in the objects which shall have been submitted to its examination; and as soon as this task is finished, the two hundred and forty-nine new members, named over and above, shall retire, without taking a part in any case in the *legislative acts*.

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The French colonies and possessions in Asia, Africa, and America, although they make a part of the French empire, are not included in the present constitution.

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None of the powers instituted by the constitution have a right to change it in its whole,

whole, or in its parts, excepting the reforms which may be made in it by the mode of revision, conformably to the regulations of Title VII. above.

The National Constituent Assembly commits the deposit of it to the fidelity of the legislative body, of the king and of the judges, to the vigilance of fathers of families, to wives and to mothers, to the attachment of young citizens, to the courage of all Frenchmen.

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The decrees passed by the National Assembly, which are not included in the act of constitution, shall be executed as laws ; and those anterior laws which it has not altered, shall also be observed so long as they shall not be revoked or modified by the legislative power.

(Signed) VERNIER, President.  
 POUGEARD, COUPPE,  
 MAILLY, CHATEAU-  
 RENARD, CHAILLON.  
 AUBRY (Bishop of the  
 Department of the Meuse)  
 DARCHE, Secretaries.

SEPT.

SEPT. 3, 1791.

The National Assembly having heard the *Constitutional Act* above read, after approving of it declare, that the Constitution is finished, and that it can make no change in it. There shall be named immediately, a deputation of sixty members, to offer, the same day, the Constitutional Act to the King.

(Signed as before)

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THE deputation being named, presented the constitution to the king ; who received it very graciously ; and gave for answer, that he would consider it with that care, which its importance demanded. On the 13th his Majesty sent a letter to the National Assembly, declaring his acceptance, and explaining the motives of his conduct. The next day his Majesty went in state to the assembly, signed the constitution, and took the oath of fidelity. On the 18th the constitution was proclaimed at Paris, and shortly after throughout the kingdom, accompanied by the universal shouts, and rejoicings, of a great and a FREE PEOPLE.



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# Letter

My dear Sir,  
I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the matter of the  
and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.  
I am, Sir, very respectfully,  
Your obedient servant,  
J. B. Smith

Enclosed for you are the documents referred to in the above.

I am, Sir, very respectfully,  
Your obedient servant,  
J. B. Smith



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REMARKS  
ON SOME OF THE PRINCIPAL ARTICLES  
OF THE  
FRENCH CONSTITUTION.

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## CHAPTER THE FIRST.

*Wisdom of the National Assembly in framing a new Constitution—Remarks on the Declaration of Rights—The natural Equality of Mankind—End of social Distinctions, and political Associations—Right of Sovereignty in the People—Different Systems considered—Objections to the Declaration of Rights answered—Importance of general Principles.*

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THE representatives of the people of France, formed into a National Assembly, appear at the commencement of their proceedings, to have been strongly impressed with a sense of that duty they owed to their constituents; the most necessary and important part of which was, the formation of a constitution; and such a constitution, as might prevent the renewal of those accumulated evils, under which the people had for ages suffered. The situation of the French, antecedent to the revolution, was almost hopeless. The government was despotic. The whole system was most wretchedly mismanaged. The numerous



tribe of nobility were possessed of extraordinary privileges, and exempted from taxes; <sup>most of the</sup> while the whole of the lower class of people were groaning under oppression and slavery. The clergy were rioting on one hundred and fifty millions sterling of national property, while infidelity and vice were continually on the increase. Such was the miserable state of the finances, that it was almost universally thought a national bankruptcy must have shortly followed; an event which must have plunged the empire into the depth of misery. But it is unnecessary to enlarge on the complicated mischiefs resulting from a despotic government, where kings, ministers of state, and the mistresses of each, had oppressed and pillaged the people without controul; and where, even under the mildest administration, the most intolerable abuses were unrestrained\*. The necessity

\* I have been assured, says Judge Blackstone, on good authority, that during the mild administration of Cardinal Fleury, above FIFTY-FOUR THOUSAND *lettres de cachet* were issued, upon the single ground of the famous bull *unigenitus*. (Commentaries, vol. I. page 135) The liberty of the press was under such restrictions, that all the journalists were prohibited by an *arret* of council, dated March 22. 1785, from publishing any letter or dissertation in regard to

necessity of a regenerated government was acknowledged and inculcated by all ranks of people. The king's letter for convoking the states-general, to consider of a reform, was conceived in these remarkable terms :

“ We order, and expressly enjoin you, soon  
 “ after the receipt of this letter, to convene  
 “ and assemble in our town of —, in the  
 “ speediest manner you can, the most proper  
 “ of the three classes of the bailiwick,  
 “ or seneschalship of —, that they may  
 “ *confer and communicate together* on subjects  
 “ of complaints, grievances, and remon-  
 “ strances, and the *means and advice* they  
 “ may propose to the general assembly of  
 “ the states ; and after having done thus  
 “ much, they are to choose and name such  
 “ and such persons, and so many and no  
 “ more of every class, all of them worthy of

to legislation or jurisprudence, or any essay attempting to interpret the laws of the kingdom. Those who wish to see the abuses of the old system laid open, have only to consult *La Police de Paris dévoillée*, 2 vol. 8vo. printed at Paris, and sold by de Boffe in London. Or if the reader has any inclination to see the dreadful effects of despotism, and of aristocratic pride and cruelty in private life, he has only to peruse that affecting, but true, domestic history related by Miss Williams, in her *Letters from Paris*, 12mo printed for Cadell.

“ this distinguished mark of *trust*, on ac-  
 “ count of their *integrity* and the *superior*  
 “ *abilities* they are endowed with. They  
 “ shall be furnished with *proper instructions*,  
 “ and *sufficient power* to propose, remon-  
 “ strate, advise, and consent to every thing  
 “ that may concern the *present* or *future*  
 “ *wants* of the state, the *reform* of abuses,  
 “ the establishment of a *steady* and *perma-*  
 “ *nent order* in every branch of the admini-  
 “ stration, the *general prosperity* of our king-  
 “ *dom*, and the *welfare* of all and each of our  
 “ *subjects* \*.”

The national assembly, properly impressed  
 with the importance of the situation in  
 which they were placed, resolved not to  
 trifle with their constituents, by suggesting  
 trifling or temporary reforms, but to frame  
 a new constitution, and to establish it on  
 such a solid and lasting foundation, as would  
 ensure the welfare of the people. It was  
 only by this method they could fulfil their  
 instructions. “ They were incontestably sent  
 “ to make a constitution ; this was the de-  
 “ fire, this was the want of all France †.”

\* King's Letter, dated Jan. 24th 1789.

† First Address of the Assembly.



This has, however, been disputed by Mr. Burke, as well as by several others. “ They “ have (says this gentleman) “ departed “ from the instructions of the people, by “ whom they were sent ; which instructions, “ as the assembly did not act in virtue of “ any ancient usage, or settled law, were “ the sole source of their authority\*.” Who are to be judges in this case, Mr. Burke or the French people ? The latter, undoubtedly ; and they have so determined the matter, as must remove all doubt from every impartial mind. The national assembly, lately elected, consisting of an entire new body of men, freely chosen by the people, made it their first business to pass a vote of thanks ; which vote was unanimous, and expressed in the most grateful terms to their predecessors, for the excellent constitution they had framed for the nation.

The national assembly, on whom the important work of forming a constitution devolved, commenced their labours in a manner highly becoming men, whose minds were enlightened by reason and philosophy, and who were called to act as the free re-

\* Burke's Reflections, p. 244.

presentatives of a great empire. Instead of attending to old forms and customs, or consulting prejudices which had so long blinded the world, but which they perceived the great body of the French people were happily getting rid of, they resolved at once to proceed, to what ought to be the very first consideration in the formation of a constitution, but which the world has long lost sight of; the pure, primary, genuine rights of man. With such a design it would have been in vain to have attempted to support the old form of government: indeed there was no one who could say, with any tolerable precision, what that form was. It had been for centuries miserably deranged, and any endeavour to support it would have proved a feeble endeavour to prop up an old, crazy, ruinous mansion, which daily threatened destruction to its inhabitants. The assembly more wisely resolved to form the whole afresh, and to make use of the old materials, only so far as they might be found fit and proper in rearing the new edifice. Such a method of proceeding, one should have thought, would have ensured the approbation of all wise and good men; and that even those who  
have

have little pretensions to either wisdom or goodness, would have waited until the building had been completed, and not have hastily censured what they were by no means competent judges of, while it remained in an unfinished state. The proceedings of the assembly were, however, violently attacked, not only at home but abroad, soon after their commencement, and for reasons which redound to the honour of that assembly, though they were intended as a reproach. Mr. Burke (as is frequently the case with men of narrow minds) judging of the sentiments of others by his own, degrades himself, and attempts to degrade his countrymen, by using the following mean-spirited, unmanly language: “ I am bold enough to confess, that instead  
 “ of casting away all our old prejudices, we  
 “ cherish them to a very considerable degree; and to take more shame to ourselves,  
 “ we cherish them *because* they are prejudices;  
 “ dices; and the longer they have lasted,  
 “ and the more generally they have prevailed,  
 “ vailed, the more we cherish them \*.” In perfect consistence with these sentiments,

\* Reflections, p. 129.



if such crude ideas deserve the name, Mr. Burke is continually reviling the national assembly, for not cherishing prejudices, and preserving forms and customs, which truly had been the means of keeping the people, for so many ages, in ignorance, superstition and slavery.

Our immortal Shakespear, although he wrote in an age less enlightened than the present, taught us much better ; what he says concerning an attention to custom, is applicable on the present occasion.

“ Should we do what custom wills,  
 “ The dust on antique time would lie unswept,  
 “ And mountainous error be too highly heap’d,  
 “ For truth to o’erpeer \*.”

“ We are to cherish prejudices *because*  
 “ they are prejudices :” It is difficult to treat such a ridiculous idea with seriousness. It reminds one of a common expression in familiar conversation, when an assertion is supported by a reason, to which we simply reply—“ That’s a woman’s reason.” In justice to the female sex, more especially of the present day, when our ladies possess

\* Shakespear’s Coriolanus.

understandings cultivated and refined, as their manners are polished and engaging, the above proverbial expression ought to be transferred, not to the other sex, to whom I should be sorry to have it generally applied, but to one of them in particular, who no doubt will be truly sensible of the honour intended him. I therefore humbly propose, that in future, when we find in company any one obstinate in maintaining an opinion, which cannot be supported by a reason meriting serious notice, we may exclaim —“ That’s Mr. Burke’s reason.” The gentleman deserves to have his name thus honoured, as a suitable reward for his glorying in prejudices, *because* they are prejudices. Surely it is hardly necessary to observe, that the conquest of prejudices, without which there can be no fair examination, either in politics, morals, or religion, is the duty, more or less, of every man. In proportion as we become wise and virtuous, we throw off those prejudices which chain and cripple the mind so unhappy as to be under their dominion. The fight is often arduous, but the victory is proportionably glorious. This is a truth which one should have

have thought no person in the present day would have ventured to dispute.

The legislators of France appear to have had minds suited to the importance of that great work committed to their charge. Possessed of enlightened minds and enlarged understandings, their first endeavours were to enlighten the minds of the nation. They drew up, for this purpose, an excellent theory : if in reducing it to practice they have in any instance yielded to what they apprehended were the yet remaining prejudices of the majority, it was with the design more effectually to secure the main object ; and which they have happily accomplished. They have formed a constitution on principles, which operating in their natural course, must in time bring it as near to perfection as human nature, in the present state, can probably admit. Let us examine its foundation.

“ The representatives of the people of  
 “ France, formed into a National Assembly,  
 “ considering that ignorance, forgetfulness  
 “ or contempt of the rights of men, are  
 “ the sole causes of public grievances, and  
 “ of the corruption of government, have  
 “ resolved



“ resolved to exhibit in a solemn declara-  
 “ tion the natural, unalienable, and impre-  
 “ scriptible rights of man, in order that  
 “ this declaration, ever present to all the  
 “ members of the SOCIAL BODY, may inces-  
 “ santly remind them of their rights and of  
 “ their duties ; to the end, that the acts  
 “ of the legislative power, and those of the  
 “ executive power, being every moment  
 “ compared with the end of all political  
 “ institutions, may acquire the more re-  
 “ spect ; in order also, that the remon-  
 “ strances of the citizens, founded hencefor-  
 “ ward on simple and incontestable princi-  
 “ ples, may ever tend to maintain the con-  
 “ stitution, and to promote the *general good*.  
 “ For these reasons, the national assembly  
 “ recognizes, and declares in the presence,  
 “ and under the auspices of the SUPREME  
 “ BEING, the following rights of men and  
 “ of citizens \*.

Such is the solemn exordium, which pre-  
 cedes the declaration of rights. We have  
 here the novel, the grand, the majestic spec-  
 tacle of a great empire, consisting of a fifth  
 part of Europe, assembled in the person of

\* Constitution, p. 17. 18.

its representatives, to regenerate itself, and to declare the fundamental principles of a new constitution. Here is nothing of secret cabal and intrigue, nothing that legislators are afraid to own, or ashamed to acknowledge. Conscious of the purity of their motives, and their views, they call the great governour of empires, the Supreme Being, to witness their proceedings, and with conscious rectitude claim his favourable regard. A spectacle this without a parallel, and which must ensure admiration to the end of time.

The reader being already apprized of my intention in the introductory observations preceding the constitution, I shall now proceed to consider, as concisely as possible, those articles in the declaration of rights which relate to—*The natural equality of mankind—the end of social distinctions, and political associations—and the right of sovereignty in the people.* These articles may be considered as containing the foundation principles, on which the superstructure of the constitution is erected.

With respect to the natural equality of mankind, the assembly have declared ;

“ All men are born, and remain, free  
“ and

“ and equal in rights : social distinctions  
 “ cannot be founded but in common  
 “ utility \*.”

“ All men are born, and remain, free and  
 “ equal in rights.” Although this is an  
 important truth, yet it has been so hidden  
 from the world, and when attempted to be  
 brought to light, so misrepresented, that  
 we need not be surprised if we find, that it  
 has been received with indifference by some,  
 and steadfastly opposed by others, especially  
 by those who have judged it necessary for  
 their purposes, to keep mankind in igno-  
 rance, and in its usual concomitant, slavery.  
 The truth of the article has been frequently  
 denied on this ground ; that we cannot  
 point out the country where equal rights  
 are possessed by the inhabitants. This me-  
 lancholy fact must be admitted, but the con-  
 sequence to be inferred from it is, not that  
 the rights of men are imaginary, but that  
 the various governments on the face of the  
 earth are not properly framed, and that  
 they are more or less oppressive. The ar-  
 ticle, however, does not assert what the  
 rights of men are, under a government of

\* Constitution, p. 18.

despotism,



despotism, or under a government that is a mixture of despotism and freedom ; but what they are, not only in a state of nature, but in a government, the principles of which are the most pure, and the best calculated to answer the general good. What men, or what systems are, in themselves, or in their origin, and what they are, according to vulgar appearance, is often essentially different. For example ; If I assert that Christianity is the purest system of religion, known to mankind ; I confess I should be sadly perplexed to prove the truth of such an assertion, was I only to refer to the systems, the doctrines, or, to the ceremonies, of the majority of the established churches, called Christian ; but with the New Testament in my hand, and referring to Christianity, as displayed in the sentiments and lives of the primitive Christians, I should have little difficulty on the subject. With respect to men in society, it is the duty of reason and philosophy, to direct their attention towards those principles, on which society was originally founded. When I declare “ All men are born, and remain, free and equal in rights ;” if I appeal for the truth of the declaration, to most of the governments

vernments on the face of the earth, and examine the *actual* situation of mankind, the evidence would be against me\* ; but when I make the above declaration, my meaning is, that this equality is the birth-right of all men, and that no one has a right to deprive them of it. If despots rob them, or if men, like *profane Esaus*, meanly barter this birth-right for a miserable *mess of pottage*, some paltry trifling interest, if they are “ignorant or forgetful,” or if they despise such a right, this by no means alters its original nature or importance. That men are naturally equal, may be proved, if we consider the first principles of society, or refer to the formation of social bodies in their simple and primary state. Some writers have gone farther, and have endeavoured to trace man back to a state of nature : but

\* Les hommes peuvent sans doute, n’êtres ni libres ni égaux par le fait, mais *ils se font toujours par le droit*. Et remarquez, qu’il ne s’agit ici que de la liberté, et de l’égalité naturelles et politiques, et point du tout de l’égalité sociale, laquelle est subordonnée au plus grand bien de la société commune, c’est à dire, au plus grand avantage de chacun.

Observations sur l’ouvrage de Monsieur Calonne, par M. Boissy, d’Anglais Député à l’Assemblée Nationale, p. 27.

there is no occasion thus to argue abstractedly on the subject. A state of nature is, in fact, a state of solitude, of which we have only one instance, and that but for a very short duration. Man, when he came out of the hands of his Creator, was in himself, in a state of perfection, and surrounded with all the delights of Paradise; and yet it was pronounced by that God who had formed him, "It is not good for man to be alone." Man originally was, and still is, formed a social creature; he is by choice, as well as necessity, compelled to seek the help of, and to unite in society with, his fellow-creatures. We find it our interest, as well as our duty, to endeavour to encrease each others happiness, and to strive

" In offices of love, how we may lighten

" Each others burden, in our share of woe \*.

Thus, considering man as formed for society, we may observe, that in every social state, or when any society is formed, there must be rules or regulations for the well being or government of that society; and the primary questions are,

\* Paradise Lost, Book X.

who



who have the right to determine upon such rules or regulations, and what is the grand end to be constantly kept in view in framing them. The proper answer is, *All men are born, and remain, free and equal in rights; social distinctions cannot be founded but in common utility*: consequently no one has a right over another when forming a society; and whatever laws are made, or distinctions conferred, all must be agreed to by common consent, and for mutual benefit. No individual has a right to dictate or compel. The decision of the majority is the only legitimate authority. These observations may, perhaps, be extended to property: I mean such property only, as no individual could make out a previous claim to; the property which God originally gave to man; the earth, wherever he chose to inhabit it. There was a period when the common property of lands, hills, forests, vallies, waters, was open to all; and on the division of families, or societies, this common property was the subject of mutual agreement. I hope the reader will excuse me for refering him, in the illustration of this subject, to a book venerable for its antiquity, but the

study of which has not been very fashionable of late, either in this country or in France. It will at once be recollected; I allude to the Bible. As the credit of the book, in consequence of the revolution, is reviving, *that* shall be my apology for quoting it. In the days of patriarchal simplicity, before tyranny and luxury had made their ravages in what is called polished society, we have an account of the settlement of two social bodies, between which there had been differences that were terminated in an amicable manner, by mutual consent. The relation is delivered in that style of beautiful simplicity peculiar to the sacred writings. “ And there was a strife between  
 “ the herdmen of Abram’s cattle, and the  
 “ herdmen of Lot’s cattle: and Abram said  
 “ let there be no strife, I pray thee, between me and thee, and between my  
 “ herdmen and thy herdmen; for we are  
 “ brethren. IS NOT THE WHOLE LAND BEFORE THEE? Separate thyself, I pray thee  
 “ from me: if thou wilt take the left hand,  
 “ then I will go to the right; or if thou  
 “ depart to the right hand, then I will go  
 “ to the left. And Lot lifted up his eyes,  
 “ and

“ and beheld all the plain of Jordan, that  
 “ it was well watered every where. Then  
 “ Lot chose him all the plain of Jordan ; and  
 “ Lot journeyed east : and they separated  
 “ themselves, the one from the other. Ab-  
 “ ram dwelled in the land of Canaan, and  
 “ Lot dwelled in the cities of the plain \*.”

The remarks which have been made concerning society in its most simple state, may be extended to political society, or political associations. And if we enquire why men thus associate, the reply is, “ The end of  
 “ political associations is the preservation  
 “ of the natural and imprescriptible rights  
 “ of man : these rights are, liberty, pro-  
 “ perty, security, and resistance against op-  
 “ pression †.” Here the necessity, and the usefulness of government are clearly pointed out. The grand end is to secure those natural rights, which are the birth right of every man, and of which he cannot be justly deprived ; for this purpose political associations are formed. All political power consists of an aggregate sum of the natural rights and liberties of the persons over

\* Genesis, chap. xiii. verse 7. 13.

† Constitution, page 18.



whom it is exercised. In a just and equitable government, no more liberty will be taken from the individual, than is necessary to form an aggregate of power, sufficient to protect the whole against each, and each against the other\*. Similar remarks may be applied to property. In a just and equitable government, no more property will be taken from the individual than is necessary to secure him in the enjoyment of the rest, and to prevent any inroads which may unjustly be attempted on it. The best government, therefore, is that, under what denomination soever, where the smallest quantity of liberty and property are exchanged, for the greatest quantity of protection and security. Under a government formed upon such principles, “ Liberty consists in the power of doing every  
 “ thing, except that which is hurtful to  
 “ another: and the exercise of the natural  
 “ rights of every man has no other bounds,  
 “ than those that are necessary to ensure to  
 “ the other members of society, the enjoy-

\* See Sir Brooke Boothby's Letter to Burke, p. 38. Second edition.

“ment of the same rights ; those bounds to  
“be determined by the law only \*.”

I beg leave further to observe, that the God of nature has placed us in such various situations, has formed us with such a diversity of capacities, and endowments, and has so amply provided for our different necessities, that in a society, founded and conducted on proper principles, the trouble and expence in securing our rights, would occasion so little inconvenience, as scarcely to deserve notice ; or rather, the advantages derived from our being members of such a society, should call forth the exercise of continual gratitude and thankfulness. That mutual help which we owe to each other, would then be properly adjusted, and the stability and happiness of society be effectually secured. When a political association is thus formed, the members of it cannot, with any propriety, be said to resign, or to lose their natural rights ; the proper mode of exercising and enjoying them, are the very ends of their associating. If a man yields a small part

† Constitution, p. 18.

of his property, he trades with it, he exchanges it for a valuable consideration with those persons, from whom he may receive a just equivalent. The husbandman, who has neither leisure, ability, or inclination for the habitual study of political concerns, and who wishes to pursue, undisturbed, his peaceful rural occupation, agrees to pay a trifling portion of his land, to the statesman who secures to him the enjoyment of the rest. The same remark may be extended to the mechanic, the tradesman, the manufacturer, and the merchant. On the other hand the statesman or statesmen, the king, or minister, or representative; in other words, those who are placed in superiour situations, and possessed of superiour endowments, and who are chosen by society as its guardians and protectors; as they part with their time, and devote their talents to the welfare of society, they may be justly said to contribute their share to the general stock of public welfare, to exchange some of their natural rights, to trade with the members of that society; and in proportion as they give themselves up to the public service, they ought to receive a proper recompense for their labour. Payment, liberal payment,



payment, is their just due. Political society thus founded on the principles of justice and equity, is an association, a partnership carried on by its different members for mutual benefit. “ If society be made for the  
 “ advantage of man, all the advantages for  
 “ which it is made, become his right. It  
 “ is an institution of beneficence ; and law  
 “ itself is only beneficence acting by a rule.  
 “ Men have a right to live by that rule ;  
 “ they have a right to justice, as between  
 “ their fellows, whether their fellows are in  
 “ politic function, or in ordinary occupa-  
 “ tion. Men have a right to the fruits of  
 “ their industry ; and to the means of mak-  
 “ ing their industry fruitful. Whatever  
 “ each man can separately do, without tref-  
 “ passing upon others, he has a right to do  
 “ for himself ; and he has a right to a fair  
 “ portion of all which society, with all its  
 “ combinations of skill and force, can do  
 “ in his favour. In this partnership all  
 “ men have equal rights.

If the reader does not recollect from whence the above quotation is taken, I am afraid he will hardly believe me when I inform him, that it is copied *verbatim et literatim*  
 from

from Mr. Burke\*. It is granting almost all that the warmest friend to the rights of man can wish.

A perusal of these sentiments confirmed me in the propriety of an observation which I have occasionally made; namely, that there is something so excellent, and so convincing in plain, unadorned truth, that those persons who are, in general its most violent enemies, are at times compelled to give it a reception. There are few men whose prejudices and passions have such a mastery over them, as entirely to exclude the heavenly visitant. The above language in Mr. Burke's wilderness of political reflections, is like a light suddenly rising out of darkness, which for a moment, cheers the benighted traveller. "The light shines in darkness," but alas! "the darkness comprehends it not." Had the right honourable gentleman followed the natural inferences from his own sentiments, he would have written a work, opposite in almost every respect to that which he *has* written; a work that would have done im-

mortal honour to himself, and have rendered his name the pride of his country.

From what has been observed concerning the rights of men in society, there will be the less occasion to enlarge, on *The right of sovereignty in the nation*. Should we, however, ask who have the right politically to associate, or to form a government? The answer is, "The principle of sovereignty resides essentially in the nation. No body of men, no individual, can exercise an authority that does not emanate expressly from that source\*." The origin of power is here traced to its primary source; all power is declared to be derived from the people. They have the only legitimate right to determine on the nature of that form of government, or constitution, which they themselves are to live under. They are the sole judges of what may be for the general good. That constitution must be the best and most perfect, in which the sentiments of the general body are most fairly and fully collected. Law can only be justly entitled to the name, when it is thus framed by

\* Constitution, p. 18.



common consent. This is further explained in the sixth article of the declaration of rights. “ The law is the expression of the  
 “ general will : all the citizens have a right  
 “ to concur personally, or by their representatives, to the formation of the law :  
 “ it ought to be the same for all, whether it  
 “ protect, or whether it punish. All citizens being equal in the eye of the law,  
 “ are equally admissible to public honour,  
 “ places and offices, according to their capacity, and without any other distinction,  
 “ but that of their virtue, or their talents \*.”  
 This article is so explicit, and so fully explains itself, as to render any comment unnecessary.

The principles laid down in the declaration of rights, which we have been discussing, are so plain, so just and excellent, that we may challenge any one to give us a better account of the proper origin, true nature, and ultimate end of government. We are now fixed on a solid basis. *All authority proceeds from the people—All is executed by those whom the people appoint, and—All is designed for the benefit of the people.* Here is no

\* Constitution, p. 18.

room for intrigue ; here are no separate interests : common good, general utility, mutual happiness, are the only ends in view.

These are the first principles of the French constitution. They may be compared to a river, deep, broad and majestic ; from whence flows a variety of streams, to refresh and rejoice the hearts of the French people, and whose salutary effects extend to the most humble individual. Such principles, properly understood, and universally practised, constitute the *Excellence*, or if I may be allowed the expression, the DIVINITY of government ; and when the happy time shall arrive, in which the rights of men shall be thus understood and practised, then will government answer its proper end, and be productive of the true welfare of mankind. The felicity of the human race, the golden age of peace and love, will not be confined as they have hitherto been, to ancient prophecy, philosophic theory, or poetic song. All that has been predicted, imagined, or hoped for in society, by the wise and the virtuous, in different ages of the world, will be accomplished and realized.

When

When we are searching after truth, the opinions even of great men ought to be received with caution ; but in proportion as we are convinced, that such men are from their abilities, fidelity, and impartiality, qualified to discuss the subject under our consideration, we are disposed to hear them with attention, and to treat their decisions with respect. It would be easy to present a variety of authorities, by which it would be perceived that the principles recommended in the French declaration of rights, have been adopted by our greatest and best political writers. I shall, however, content myself with a reference to one of them ; and when I have mentioned the name of BLACKSTONE, it would be presumption in me to add a single word to engage the serious attention of the reader.

“ The principal aim of society is to protect individuals in the enjoyment of those  
 “ absolute rights, which were invested in  
 “ them by the immutable laws of nature ;  
 “ but which could not be preserved in peace,  
 “ without that mutual assistance and intercourse, which is gained by the institution of friendly and social communities.  
 “ Hence it follows, that the first and primary



“ many end of human laws is to maintain  
 “ and regulate these *absolute rights* of indi-  
 “ viduals. Such rights as are social and  
 “ relative, result from, and are posterior  
 “ to the formation of states and societies :  
 “ so that to maintain and regulate these is  
 “ clearly a subsequent consideration. And  
 “ therefore the principal view of human  
 “ laws is, or ought always to be, to explain,  
 “ protect, and enforce such rights as are  
 “ absolute.

“ The absolute rights of man, considered  
 “ as a free agent, endowed with discern-  
 “ ment to know good from evil, and with  
 “ power of choosing those measures which  
 “ appear to him to be most desirable, are  
 “ usually summed up in one general ap-  
 “ pellation, and denominated the natural  
 “ liberty of mankind. This natural liberty  
 “ consists properly in a power of acting as  
 “ one thinks fit, without any restraint or  
 “ controul, unless by the law of nature, be-  
 “ ing a right inherent in us by birth, and  
 “ one of the gifts of God to man at his  
 “ creation, when he endued him with the  
 “ faculty of free will. But every man, when  
 “ he enters into society, gives up a part of  
 “ his natural liberty, as the price of so va-  
 “ luable

“ luable a purchase, and *in consideration of*  
 “ *receiving the advantages of mutual commerce,*  
 “ obliges himself to conform to those laws,  
 “ which the community has thought pro-  
 “ per to establish. And this species of le-  
 “ gal obedience and conformity is, infinitely  
 “ more desirable, than that wild and savage  
 “ liberty which is sacrificed to obtain it.  
 “ For no man that considers a moment,  
 “ would wish to retain the absolute and  
 “ uncontrouled power of doing whatever  
 “ he pleases: the consequence of which is,  
 “ that every other man would also have the  
 “ same power; and then there would be no  
 “ security to individuals in any of the enjoy-  
 “ ments of life. Political, therefore, or civil  
 “ liberty, which is that of a member of so-  
 “ ciety, is no other than natural liberty, so  
 “ far restrained by human laws, *and no far-*  
 “ *ther,* as is necessary and expedient for the  
 “ general advantage of the public. Hence  
 “ we may collect that the law, which re-  
 “ strains a man from doing mischief to his  
 “ fellow-citizens, though it diminishes the  
 “ natural, increases the civil liberty of man-  
 “ kind; but every wanton and causeless re-  
 “ straint of the will of the subject, whe-  
 “ ther practised by a monarch, a nobility,  
 “ or .

“ or a popular assembly, is a degree of ty-  
 “ ranny. Nay, that even laws themselves,  
 “ whether made with or without our con-  
 “ sent, if they regulate and restrain our  
 “ conduct in matters of mere indifference,  
 “ without any good end in view, are laws  
 “ destructive of liberty: whereas, if any  
 “ public advantage can arise from observ-  
 “ ing such precepts, the controul of our  
 “ private inclinations in one or two par-  
 “ ticular points, will conduce to preserve  
 “ our general freedom in others of more  
 “ importance, by supporting that state of  
 “ society which alone can secure our inde-  
 “ pendence. So that laws, when prudently  
 “ framed, are by no means subversive, but  
 “ rather introductive of liberty; for (as Mr.  
 “ Locke has well observed) where there is  
 “ no law, there is no freedom. But then  
 “ on the other hand, that constitution or  
 “ frame of government, that system of laws,  
 “ is alone calculated to maintain civil li-  
 “ berty, which leaves the subject entire  
 “ master of his own conduct, except in  
 “ those points wherein the public good re-  
 “ quire some direction or restraint\*.”

\* Blackstone's Commentaries, vol. I. p. 124.—126.



Such are the rights of men, and such is the end of government: these are the sentiments which the enemies of the French revolution have ridiculed and reproached. We find the French declaration is not the *only* "paltry blurred shred of paper about the rights of man\*." When Mr. Burke publishes his next edition, he may, and if he is consistent, he will, treat the writings of Judge Blackstone, not to mention those of other men equally respectable, in the same contemptuous and abusive manner, as he has in almost every part of his work the famous declaration we have been considering.

I now beg leave to demand with confidence, of those persons who despise the account which has been given of the origin, nature, and end of government, that they would present us with a better. Let them talk more rationally on the subject: let them produce a system more calculated to promote the welfare of mankind, and the admirers of the French revolution will give it all possible attention. At present we can only answer objections which seem urged more

\* Burke's Reflections, p. 128.

with the design to perplex than to convince; and, however weak they may be, they serve to keep people in ignorance, and to prevent them from thinking for themselves, on a subject of considerable importance.

We have in former times heard of the RIGHT OF CONQUEST; and have been gravely told, that the sword gives the right to dispose of the liberties, properties, and lives of mankind. The enemies of freedom in the present day, are I believe not so far degenerated, as to insult us with arguments formerly used to establish such a right. Should similar arguments ever be revived, it will only be necessary to reply, that they equally serve to justify the housebreaker, the highwayman, the murderer, and the conqueror of nations. The pleas of each, if they dare make any, are alike in the sight of God, and ought to be so in the sight of man. That emperor or king, whoever he may be, who invades or conquers an empire or kingdom, who establishes his authority, and who disposes of the people as he pleases, merely by the power of the sword, ought at least to be equally rewarded with the man who plun-

ders an individual, or takes away his life. Or rather, does not the greater tyrant merit a severer punishment than the lesser, in proportion as his guilt is more enormous? Should any one have a difficulty in answering the question, I shall only refer him to a paper in Dr. Hawkesworth's *Adventurer*, where he will find a just and striking comparison, between the most famous conqueror we read of (Alexander the Great) and a highway robber and murderer \*. Reflection for a few minutes, will remove all doubt on the subject, from every honest mind.

We have likewise formerly been instructed in the *blessed* doctrine of JURE DIVINO, or

“ The right divine of kings, to govern wrong ;”

And if in the last century in England, or within these four or five years in France, any set of men had ventured to ask their rulers, “ By what authority dost thou these things, or who gave thee this authority?” the only answer, if despots had condescended to answer, would have been, *Sic volo sic jubeo*, or *Tel est notre plaisir* † ;

\* *Adventurer*, Vol. II. No. 47.

† *Tel est notre plaisir*, was the language always used in the French king's edicts.

and



and they would have had plenty of agents, civil and ecclesiastical, to have inculcated the consequent duties of *passive obedience and non-resistance*, and to have silenced, in the most effectual manner, all objections. This system has been pretty much exploded, though an attempt has lately been made by Mr. Burke to revive it, or something very much like it, under the name of *Whigism*. We are informed, in his last publication, that the sentiments of a genuine Whig, are as follow: “The general doctrine of non-resistance is unquestionably a *godly and wholesome* doctrine; it is the doctrine of the church of England, as stated in her homilies, and has been constantly inculcated by the reverend fathers of the church \*.”

Whether what is here called Whigism, has a right to that appellation, I do not think it worth while to examine. If it has, it only confirms a suspicion which has crossed my mind, that the names of Whig and Tory, are of little consequence, and although they may be still kept up as party names, they are of trifling import to the public. Though we acknowledge, with grateful re-

\* Appeal from the new to the old Whigs, p. 79.—80.

membrance, the important services of the Revolution Whigs, yet from the conduct of the party on several occasions, since that period, many persons think the name hardly worth preserving. It was the Whigs who formed the plan of funding the public debt; to which plan we partly owe the enormous mass we now labour under. It was the Whigs who established standing armies; it was a Whig parliament which passed the septennial act, and rejected the bill for limiting the peerage. The most outrageous writer who ever took up a pen against the extended freedom of mankind, calls himself A WHIG; and has written a pamphlet to prove himself one. To do him justice, he appears to have more argument, when making out his title, than on any other occasion. With perfect consistency, one of the subjects of his panegyric is that famous Whig minister, Sir Robert Walpole; the author of that renowned statesman-like maxim, (to which Whigs and Tories have, ever since, generally agreed, however they may have differed in other respects) *Every man has his price*; who, like his panegyrist, was a constant opposer of all reformation in parliament, and whose intention was to have extended the excise laws, although the people had then spirit enough

enough to prevent its execution; they being fond of an old fashioned expression, which their descendants have almost forgotten, "Every Englishman's house is his castle." Striking facts these, concerning Whigs, and Whigism, which should make us careful of being imposed upon by the names of parties, or from being led away by sounds instead of principles. But to return to passive obedience and non-resistance. I confess these doctrines are taught in the homilies of the church of England; and that their *Reverences*, the fathers of the church, her bishops, and her dutiful sons, the clergy, have at times been very fond of inculcating them. Mr. Locke's apology for their conduct being the best I can recollect, it is my duty to mention it,—*You must know*, said he, in a letter to a friend, *that sort of men are taught rather to OBEY than UNDERSTAND*. Many of the clergy of the present day, dignitaries, as well as others, are better informed. As to the doctrines alluded to, notwithstanding Mr. Burke's attempt, or that of any other person, to explain or revive them, I beg leave to say, they are so absurd, wicked, and blasphemous, that it is a melancholy proof of the depravity of hu-



man nature, that any one should ever have invented them. Let no man profane the sacred writings, by attempting to draw from them sentiments, which would tend to invalidate their inspiration, more than all the attacks of unbelievers. We read nothing of any <sup>Divine</sup> specific form of government in the Scriptures: in every different form it is still, the ORDINANCE OF MAN. We are never *ex*horted to obey any other rulers than those "who are a terrour to evil doers, and a "praise to them that do well." It is only to a lawful government that obedience is due. Then indeed we ought to obey, not only "for wrath," or fear of punishment, but "for conscience sake." The inspired Apostle, St. Paul, has given us most excellent lessons concerning our duty to civil governors; but his own conduct evidently proves they were never intended to inculcate a blind slavish obedience; he well knew how to exert himself, when his rights as a Roman citizen were attacked: a recollection of his conduct will preserve us from those poisonous inferences which have been so often drawn from his writings, to serve the purposes of despotism: but it is to be hoped the Christian world is growing so wise, that should any tyrant attempt to en-  
slave

slave any part of it, or to dispose of the liberties, properties, and lives of mankind, he will be treated as he deserves. He can claim no right, divine or human, and is only an usurper\*.

With respect to the systems we have just considered, the *Right of conquest*, and *Jure divino*, few it is to be presumed will venture to plead openly for them; but there is another system that has been recommended by Mr. Burke, which deserves some notice: ridiculing the rights of man, he continually reminds us, that we owe all our

\* Since writing the above, I have been very much surprised on reading a Sermon, preached by one who calls himself a Protestant dissenting minister; but who has published sentiments, which would have been more suitable from one of the court chaplains in the reign of Charles the first, or from the famous Dr. Sacheverell of *Jure Divino* memory. See "The Duty of Christians to civil Magistrates, with the Address prefixed, by JOHN CLAYTON." Since the reverend gentleman's numerous mistakes have received such an ample refutation from some of his brethren, as must call from him an acknowledgement of errors, which, perhaps, proceeded only from ignorance and inattention; and as a new edition of the sermon is preparing for the press, I hope to be able, in another part of this work, to congratulate the Authour on his justice, candour, and ingenuousness, in retracting sentiments, the mischievous nature of which he does not seem to have been aware of..

rights

rights to “ compacts, charters, or agreements.” But this is only trifling with us: mankind have rights independent of any compacts, charters, or agreements whatever. When our ancestors obtained *Magna Charta*, or framed *the Petition of Right*; or *the Bill of Rights*; they asked no favour of their governors; their language, and their actions too, were firm and resolved. The great charter, to use the language of Blackstone, “ was obtained from king John, “ *Sword in hand* \*.” The language of the parliamentary declaration, called the petition of right, and the manner in which it was *followed up* in the reign of Charles the first, afford a striking lesson to kings and people. It is not necessary to mention particulars. At the Revolution, before William and Mary were fixed on the throne, the bill or declaration of rights was presented, which concludes with these words; “ They (the people) do claim, demand, “ and insist upon, all and singular the pre- “ mises, as their undoubted rights and li- “ berties.” These rights and liberties were afterwards declared by act of parliament,

\* Commentaries, vol. I. p. 127.



to be “the true antient and indubitable  
 “rights of the people of this kingdom.”  
 In the act of settlement, by which the  
 crown was limited to his present majesty’s  
 illustrious house, and some new provisions  
 were added for better securing our laws  
 and liberties, the statute declares them, to  
 be “the birth-right of the people of Eng-  
 “land.” Should the people at any fu-  
 ture period judge it necessary to demand  
 the restoration of those rights they once  
 enjoyed, such as triennial parliaments, and  
 a more equal representation, not to men-  
 tion others; should they demand a farther  
 security for those rights they at present pos-  
 sess; who will dare to prevent them from  
 using similar language to that of their fore-  
 fathers? If corrupt ministers, or what is in-  
 finitely worse, a corrupt House of Commons  
 should ever treat the peaceable petitions,  
 addresses, or remonstrances of the people,  
 for the restoration or security of their rights,  
 with contempt; who will be so dastardly  
 as to say, they ought not to recollect  
 that they are Britons, nor to act as the de-  
 scendants of Britons? Charters, compacts,  
 and agreements, let it ever be remember-  
 ed, are not matters of favour; they can no  
 more

more be said to *create* rights, than to create the parchments they are written upon: they were never meant to limit but to extend, or more properly to restore, the rights of mankind.

Mr. Burke is constantly accusing the French and their admirers, with "confused principles, and metaphysical systems," and yet notwithstanding all he has written concerning government, he has not given us any principle or system, which any one can comprehend, unless he has an understanding as extraordinary as the right honourable writer: he is always "about it and about it," and will never come to the point. What he offers, however, must be of importance, and it ought to be proportionably clear, because all those who dissent from it, are "wild and wicked, frantic and villainous\*."

"The foundation of government (says Mr. B.) is laid not in imaginary rights of men (which at best is a confusion of judicial with civil principles) but on political convenience, and in human nature; either as that nature is universal, or as it

\* Appeal, p. 111.

“ is modified by local habits, and social  
 “ aptitudes. The foundation of govern-  
 “ ment is laid in a provision for our wants,  
 “ and in a conformity to our duties ; it is  
 “ to purvey for the one ; it is to enforce  
 “ the other. These doctrines do of them-  
 “ selves gravitate to a middle point, or to  
 “ some point near a middle\*.” If we, on  
 reading this, ask, who are the founders of  
 government ? Who are the persons to pro-  
 vide for our wants ? How are we to con-  
 form to our duties ? Who is to purvey for  
 the one, or to enforce the other ? What is  
 this middle point, or point near a middle to  
 which these doctrines gravitate ? We may  
 answer these questions for ourselves as well  
 as we can, for Mr. B. has not condescended  
 to answer one of them. All he tells us is,  
 that in this system, “ there is no medium,  
 “ besides the medium itself ; that the me-  
 “ dium is not such, because it is found  
 “ there ; but it is found there, because it is  
 “ conformable to truth and nature.” If  
 the reader wishes to have this system ex-  
 plained, he must apply to some one who

\* Appeal, p. 112.

understands



understands it: it is too sublime for my poor capacity.

Again: " Give a certain constitution of  
 " things, which produces a variety of con-  
 " ditions and circumstances in a state, and  
 " there is in nature and reason a principle  
 " which, for their own benefit, postpones,  
 " not the interest, but the judgment of  
 " those who are *numero plures*, to those who  
 " are *virtute et honore minores*\*. But who  
 are to give this constitution, or to judge  
 of its nature and effects? How are we to  
 come at the knowledge, or to be acquainted  
 with the qualifications of the virtuous, and  
 honourable minority in society, that we  
 may prefer them to the numerous majority?  
 To these, and various other questions which  
 may be asked, we can obtain no answer.

Once more: " The pretended rights of  
 " these theorists are all extremes, and in  
 " proportion as they are metaphysically  
 " true, they are morally and politically false.  
 " The rights of men are in a sort of *middle*,  
 " incapable of definition, but not impos-  
 " sible to be discerned. The rights of  
 " men in government are their advantages;

\* Appeal, p. 129.

“ and these are often in balances between  
 “ differences of good ; in compromises be-  
 “ tween good and evil, and sometimes be-  
 “ tween evil and evil. Political reason is a  
 “ computing principle ; adding, subtract-  
 “ ing, multiplying and dividing, morally,  
 “ and not metaphysically or mathematically  
 “ true moral demonstrations\* .”

This is Mr. Burke's account of the rights of men, and of the foundation of government. Here are metaphysics, and mathematics, morals, and politics, jumbled together, and fighting the one with the other. This is confusion worse confounded, and we may exclaim, Chaos is come again ! We must not call such a definition of government, metaphysical, because I believe the words metaphysical, and nonsensical, are not quite synonymous. One of Mr. Burke's opponents has given us a comment on the above quotation, and as it is the very best I can find, justice requires me to present it to the reader. “ The meaning of all this  
 “ learned jargon is, that government is go-  
 “ verned by no principle whatever ; that it

\* Reflection, p. 92.

“ can make evil good, or good evil, just as  
 “ it pleases; in short, that government is  
 “ arbitrary power \*.”

But it seems the excellence of a constitution consists in this, *that the majority of mankind do not understand its excellence.* “ The  
 “ British constitution may have its advantages pointed out to wise and reflecting  
 “ minds, but it is of too high an order of  
 “ excellence to be adapted to those which  
 “ are common; it takes in too many views,  
 “ it makes too many combinations, to be  
 “ so much as comprehended by shallow and  
 “ superficial understandings †.” This seems an attempt to revive in politics, the old popish maxim in religion; “ Ignorance is  
 “ the mother of devotion.” Englishmen, however are not yet prepared to receive it. We have thought that we understood the true nature, and entered into the highest excellence of our constitution. We have felt proud, when we were told some years back, not only by great men in our own, but in other countries, “ The English is the

\* Paine's Rights of Man, p. 113.

† Burke's Appeal, p. 113.

“ only



“ only nation in the world, where political,  
 “ or civil liberty is the direct end of its con-  
 “ stitution \*.” Knowledge, not ignorance,  
 has attached us to it, and has made us  
 truly sensible of its peculiar excellence ; nor  
 are we the less, but rather the more sensi-  
 ble of that excellence, when we strive to  
 promote the grand end in view, to pre-  
 serve and extend our liberties ; and above  
 all, to guard against those inroads that  
 corrupt influence of various kinds has made  
 upon them, and which threatens their de-  
 struction. What Mr. B. means by that  
 order of excellence, which is too high for  
 common minds, it is difficult to conceive,  
 and may be presumptuous to enquire ; al-  
 though the times are inquisitive, we will  
 not at present attempt to pry too far  
 into the statesman’s arcana. In return for  
 our humility, we hope we shall be in-  
 structed by degrees. Mr. B. has had op-  
 portunities of studying the subject accu-  
 rately, and his judgment and experience  
 enable him to comprehend it better than  
 most men. We hope he will not deny

\* Montesquieu’s Spirit of Laws, Book XI.—Black-  
 stone, vol. I. p. 145.

us the favour of informing us in his next publication, whether this may not be an excellence of too high an order to be adapted to common minds ; *That a man who has no claim on the public, may receive a pension of fifteen hundred pounds a year, and that under a feigned name* ; because it is hoped he has too much modesty to receive it in his own \*. The old French government possessed much of this high order of excellence, which the *livre rouge* has lately exposed ; but so little was this state excellence adapted to the common views of the French, that they resolved not to have a single particle of it in their new constitution. It is not to be wondered, that pensioners, when they behold the fun arising in the political hemisphere, and their *gourds withering* ; should, like the peevish prophet, fume, and fret, and cry out, “ We do well to be angry ! ”

Mr. Burke is constantly panegyri-  
zing “ Ancient institutions, and the collected

\* That Mr. B. receives such a pension, has been asserted by several of his opponents ; and till it is contradicted, will be believed. If it is a fact, it affords some apology for the right honourable gentleman’s constant dread of French principles being introduced in this country.

“wisdom of ages:” Nothing in the conduct of the French appears to hurt him more, than their not attending to old forms, and not following old customs. To what I have before suggested, on this part of the subject, I beg leave to add, that so far as institutions, or forms, or customs, are of service, we seldom find men willing to part with them: we have all of us, more or less, various prejudices cleaving to us, which “grow with our growth, and strengthen with our strength;” and so far as they happen to be on the side of what is useful, or even harmless, let them remain; but no farther concession ought ever to be made. Let us respect ancient institutions, and adopt them, if they have been productive of human happiness; but I am fearful, that if we were accurately to examine the collective wisdom of ages, so far as it respects the formation of political societies, it would be found extremely defective. History is little more than a record of the follies and vices of mankind. The bulk of the human race has hitherto been, and is yet in a state of depression. Ancient governments seldom regarded the rights of men: and for this amongst other reasons,



they all ended in ruin. “Antiquity, with  
 “her pretended political philosophy, can-  
 “not boast *one philosopher* who questioned  
 “the justice of servitude, nor with all her  
 “pretended public virtue, *one philanthropist*,  
 “who deplored the misery of slaves\*.” In-  
 stead of taking a view of different em-  
 pires, let us confine ourselves to our own  
 country. From the invasion of Julius Cæsar  
 to the Revolution, during seventeen cen-  
 turies, what does the history of Great Bri-  
 tain present? The greater part of that pe-  
 riod our ancestors were in a state of abject  
 servitude. How often have they been made  
 the prey of tyrants? How often have they  
 been led into the field to slaughter, yea, to  
 slaughter each other; to gratify the am-  
 bition of despots, who rewarded the sur-  
 vivors by pillaging them! At intervals we  
 have some objects to relieve us. We be-  
 hold an Alfred raised up by Providence, to  
 shew to the world what perfection human  
 nature is capable of; but that great man  
 seems to have been exalted to the throne,  
 as a contrast to the generality of our Eng-  
 lish sovereigns. The liberties of the people

\* Mackintosh's Answer to Burke, p. 269.

have been dearly purchased, by flow degrees, undaunted courage, constant struggle, and much blood. Since the Revolution, and under the mild government of the house of Hanover, we gratefully acknowledge that we have enjoyed a variety of privileges, and a degree of felicity, unknown to our ancestors. But the reason is, and let us never forget it; we have been distinguished by our civil and religious liberties, from surrounding nations. But should those nations imbibe that spirit, which has so distinguished our forefathers; should they adopt a constitution which improves upon the excellencies, and avoids the defects of our own; they will arise, and eclipse us, as we have formerly arisen, and eclipsed them. The French revolution compels us to consider our situation, and forces us to confess, that notwithstanding the collected wisdom of ages, which is so much boasted, there is still something materially wanting for our security. What has been the happiest of our situation? Have we not, for this century past, been almost continually engaged in bloody and expensive wars? Have we not an enormous national debt, and a load of taxes, which press heavy upon the ma-

jority of the people? Is there any prospect  
 of either being lessened? Have we not lost  
 sight of the best principles of government;  
 or rather, are they not derided and detest-  
 ed by our public men, whether in or out  
 of power? Have not the corruptions of go-  
 vernment gradually encreased, till at last  
 they are become so flagrant, that the most  
 sober and serious part of the nation are  
 firmly of opinion, a reformation, or a re-  
 volution must shortly take place? We  
 want something more than the collected  
 wisdom of past ages to relieve us. Let us  
 attend to those first principles, which God  
 has implanted within us, and endeavour to  
 recover those rights which he originally  
 gave us: let us return to those foundation  
 truths expressed in the French declaration;  
 and recollect, "That the end of all govern-  
 "ment is the preservation of the natural  
 "and imprescriptible rights of man—That  
 "the principle of sovereignty resides in the  
 "nation—That the law ought to be the  
 "expression of the general will," and let  
 us not be afraid to add, "That the society  
 "in which the guarantee of rights is not  
 "assured, nor the separation of powers  
 "determined,



“determined, has no [proper] constitution\*.”

But we are told, that the rights of man, introduced in society, tend “to unsettle, “to disturb, to overturn government; that “the introduction is impracticable.” On the contrary, I beg leave to observe, that it is owing to those rights not having been understood, and practised, that governments have been first unsettled, and in the end overturned. Mr. Burke’s remarks, “That in every action of importance, a duty is included; that our rights imply our duties,” are perfectly just, and ought never to be forgotten. The design of the French declaration was, and is, to remind “All the “members of the social body of their rights, “and of their duties†.” But let it be recollected, that as they are necessarily and inseparably connected; as the one cannot be understood or practised without the other; the moment we pay a blind slavish obedience to any man, or set of men, that moment we lose sight both of our right, and of our duty. When government is founded

\* Constitution, p. 18—21.

† Constitution, page 17.

upon the principles of justice and of equity; when “The law is the expression of the “general will;” obedience to that law is the duty of every one; and the person who disobeys, is culpable in the sight both of God and man\*. Obedience will be the more rationally, cheerfully, and constantly paid, when it is enforced by common consent, than when it is commanded at the will and pleasure of despotism. As to the “Impracticability” of reforming governments on the principles recommended; I beg leave seriously to ask, why is it impracticable? If the theory is just and right, it ought to be reduced to practice; and those who oppose any endeavours for that purpose, ought to be counted the enemies of mankind. The mischief of it is, most of the governments in the world are little better than systems of despotism, shocking usurpations on every thing that ought to be dear to men: and despots in general will not give up any part of their power, as long as they can possibly retain it†. But we hope  
that

\* Constitution, p. 19, 20.

† “If you should see a flock of pigeons in a field of  
“corn; and if (instead of each picking where, or what it  
“liked, taking just as much as it wanted, and no more)  
“you

that the example of England, in the last century, and of France in the present, will shew them the absolute necessity of prudently making such concessions, as their subjects may require. If, on the contrary, they should be obstinate, all the evil consequences will lie at their door. All the confusions, all the distresses, all the bloodshed which may unhappily attend future

“ you should see ninety and nine of them gathering all  
 “ they got into a heap ; reserving nothing for themselves,  
 “ but the chaff and refuse ; keeping this heap for one, and  
 “ that the weakest perhaps and worst pigeon of the flock ;  
 “ sitting round and looking on all the winter, whilst this  
 “ one was devouring, throwing about, and wasting it ; and,  
 “ if a pigeon more hardy or hungry than the rest, touched  
 “ a grain of the hoard, all the others instantly flying upon  
 “ it, and tearing it to pieces, you would see nothing more  
 “ than is practised every day among men. Among men  
 “ you see the ninety and nine toiling and scraping together  
 “ a heap of superfluities for one ; getting nothing for  
 “ themselves all the while, but a little of the coarsest of  
 “ the provision, which their own labour produces ; and  
 “ this one too, oftentimes the feeblest and worst of the  
 “ whole set, a child, a woman, a madman, or a fool ;  
 “ looking quietly on, while they see the fruits of all their  
 “ labour spent or spoiled ; and if one of them take or touch  
 “ a particle of it, the others join against him, and hang  
 “ him for the theft.”

Paley's Principles of Moral and Political Philosophy,  
 vol. I. p. 105, 106.

revolutions



revolutions (if they are conducted on the same principles as those of England and France) despots will have to answer for, and not their subjects. "Be wise now, therefore, O ye kings!" Learn from hence to respect your subjects; be admonished, that the strength resides in the governed; that this strength wants only to be felt and roused, to lay prostrate the most ancient and confirmed dominion; that general opinions ought always to be treated with deference, and managed with delicacy and circumspection \*. From what has recently been transacted in France, you may learn that your welfare, your duty, your interest, are intimately connected with those of your subjects; and that a ready compliance with their just requisitions, is your only way to ensure a willing, a cheerful obedience from them, and a legitimate, a durable authority for yourselves.

But "the rights of men are ideal; the theory may be good, but it is too refined, too perfect for human nature \*." This is the

\* Paley's Principles of Moral and Political Philosophy, vol. II. page 125.

\* Men in all ages have been too apt to treat as ideal or visionary,

the language of many who cannot otherwise object to the French declaration. If these persons are sincere, and if they really mean what they say, I am sure they must wish to find themselves mistaken; surely they will be happy, if at last, the corruptions of mankind yield to the principles of purity, and the world should thereby be renovated. Let us not despair; a fifth part of Europe has unexpectedly made a rapid advance towards perfection. The language of the national assembly of France on this subject is like their proceedings, great and animating: it deserves the fixed attention of every future national assembly, that may be engaged in the regeneration of mankind, in any part of the globe. “ We  
 “ are accused of having aspired at a chimerical perfection; strange reproach!  
 “ which ill disguises the secret wish for the

visionary, any theory superiour to what they have been used to. The Roman historian, Tacitus, treated the notion of a mixed government, formed out of the three species, like the British, as a visionary whim, and one, that if effected, could never be lasting, or secure. *Cunctas nationes & urbes populus aut primores, aut singuli regunt: dilecta ex his & constituta reipublicæ forma laudari facilius quam evenire, vel, si evenit, haud diuturna esse potest. Ann. lib. 4.*

perpetuity

“perpetuity of abuses. The national as-  
 “sembly has not suffered its progress to be  
 “impeded by pusillanimous or servilely in-  
 “terested motives: it has had the courage,  
 “or rather the good sense, to believe that  
 “useful ideas, and truths most necessary to  
 “the happiness of mankind, were not ex-  
 “clusively destined to adorn the pages of  
 “books; and that the Supreme Being,  
 “when he gave to man *perfectibility*, an en-  
 “dowment peculiar to his nature, did not  
 “intend to bar his application of it to the  
 “regulation of society, in which his first  
 “wants, his most universal interests are  
 “comprehended \*.”

Knowledge is the parent of virtue; and  
 the best way in which we can ever hope to  
 be of service in the reformation of man-  
 kind, is by enlightening them. The purer  
 the principles we instil into their minds,  
 the better. The perfection of a system is its  
 highest recommendation; and if we take care  
 to have it well comprehended, the sooner we  
 reduce it to practice, the happier will it  
 be for society. No one wishes that the  
 rights of men may be claimed, without be-

\* Second Address of the Assembly, Feb. 11, 1790.



ing first understood, and it will probably be a considerable period before they will be universally understood and demanded. In the mean time it is the duty of every true friend to virtue, to his country, and to the world ; to endeavour to introduce similar maxims in politics, to those he would wish to govern himself by, in morals, and in religion. Let us follow the best guides. Our finest moral writers, when they would teach men virtue, inculcate upon them the purest principles, which they frequently illustrate by well drawn examples. This was the method, by which perfect wisdom and goodness united in the person of our Saviour, condescended to restore a lost world ; to teach us our duty, and to conduct us in the way of happiness : his doctrines and his precepts were perfect : he proposed our heavenly father as a model for us to copy after. “ Be ye perfect, even as your “ Father which is in heaven is perfect.” His precepts were exemplified, and enforced by his own example. “ He left us an “ example, that we might follow his steps.” “ Let us go on unto perfection,” was the language of his followers ; and their resolution should be ours in every situation of  
of

of life, whether private or public ; THIS  
WILL WE DO, IF GOD PERMIT.

I hope I shall be excused by my readers, the younger part of them in particular, if in concluding this chapter, I endeavour to impress upon them, the necessity of their having some *general principles*, fixed in their minds, which may serve as a touch-stone, to try their sentiments and conduct, on every important occasion. The admonition comes from one who has seen something of life, in different forms, and in various countries ; and who is, from his own experience, deeply convinced of its importance. “ Ignorance, forgetfulness, or contempt,” of such principles, are the causes of most of our errors and miseries. In MORALS, endeavour to form and preserve in your minds, a few plain maxims, such as reason and conscience, in the calm and silent hour of solitude, *must* approve. You will thus be preserved from many of the follies of the age. In RELIGION, strive to cultivate principles of purity. These will preserve you, on the one hand from being infected with that intolerance, bigotry, and superstition, which have hitherto disgraced, more or less, every established church in Christendom ; and on  
the

the other, from being tossed about with those various winds of doctrine (if they deserve even such a name) which are blowing from various quarters of scepticism and infidelity. Do not adopt your principles merely from the prejudices, or as they might sometimes be stiled, the opinions of education \*. Do not suffer yourself to be misled, by long established systems, which, men, having been paid, in many instances extravagantly, for maintaining, have often supported without examining whether they are true or false. If you look only at such systems, you will be in danger of getting rid of all religious sentiments whatever, and like the generality of your countrymen, when they set their foot on a foreign shore, you will not only be inattentive to the precepts, but to the forms of religion, if you do not soon deride the name. Adopt a few plain principles from that deposit of truth, the Bible ; such as proclaim the divinity of the book which contains them. Try your sentiments and

\* By education we are oft misled,  
 So we believe, because we so were bred ;  
 The priest continues, what the nurse began,  
 And thus the child, imposes on the man.

DRYDEN.

conduct



conduct continually by them, and you cannot materially err. You will on the contrary, assuredly follow the path of duty, and of happiness. In PUBLIC LIFE, constantly endeavour to cultivate, purity of principle. Engrave upon your hearts, the admirable sentiments of an elegant and excellent modern writer ; and never forget, that  
 “ The same necessity for the substitution of  
 “ general maxims exists in politics, as in  
 “ morals : those precise and inflexible principles, which yield neither to the seductions  
 “ of passion, nor the suggestions of interest,  
 “ ought to be the guide of public as well  
 “ as private morals. Acting according to  
 “ the natural rights of men, is only another  
 “ expression for acting according to those  
 “ general maxims of social morals, which  
 “ prescribe what is right and fit in human  
 “ intercourse\*.” Such sentiments as these, will preserve you from corruption in public life ; and while they are impressed on your mind, you will never dare to vindicate actions in a minister of state, unless upon the same principles as you may vindicate actions of a similar cast, in a private

\* Mackintosh, p. 217.

individual.

individual. As men, and as citizens, study your own rights, and the rights of your fellow-men and fellow-citizens. Let the good of your neighbour, and of your country, be constantly kept in view. Should any denomination of men do you the honour, to claim your assistance for the support of any plans for the reformation of society, or for the recovery of the lost rights of mankind ; instead of allowing yourself to rest in a supine, which in such a case is a criminal, indifference, endeavour to support such plans by every means in your power. Acting from the principles of virtue, religion and patriotism, you may meet with opposition ; you may be despised and reproached, by the vicious, and by the lukewarm ; you may be striving against a powerful stream of corruption ; but you will secure to yourself what will infinitely overbalance all the difficulties and discouragements you may meet with. You will infallibly secure, the pleasures of a good conscience, the applause of virtuous men, and in the end, the declared approbation and the eternal reward of the Great GOVERNOUR OF THE UNIVERSE !

## CHAPTER THE SECOND.

*Account of the representative Part of the French Constitution—Legislative Body—Electoral Assemblies—Active Citizens—Excellencies of the French Plan of Representation pointed out, and contrasted with the Defects of the British—Absolute necessity of a Parliamentary Reform in Great Britain urged and enforced from various Considerations—Principles of the French Monarchy similar to those of the British.*

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HAVING considered the origin, nature, and design of government, as expressed in the French declaration ; having endeavoured to prove, that the end of all political associations is the preservation of the natural and imprescriptible rights of man : I shall now proceed to the consideration of that mode which the National Assembly have adopted as the most eligible, by which the people may be the most effectually secured in the exercise, and in the enjoyment of those rights. On this subject the language of the constitution is as follows :

“ The



“ The nation, from which alone flow all  
 “ the powers, cannot exercise them, but by  
 “ delegation. The French constitution is  
 “ *representative* ; the representatives are the  
 “ legislative body, and the king. The le-  
 “ gislative power is delegated to a national  
 “ assembly, composed of temporary repre-  
 “ sentatives, freely chosen by the people, to  
 “ be exercised by this assembly, with the  
 “ sanction of the king, in manner after-  
 “ wards determined. The government is  
 “ monarchical ; the executive power is de-  
 “ legated to the king, to be exercised un-  
 “ der his authority, by ministers and other  
 “ responsible agents, in manner afterwards  
 “ determined \*.”

It is not my intention to detain the reader  
 by entering into any discussion of the ques-  
 tion, whether the French legislators would  
 have formed a more perfect constitution,  
 had they permitted aristocracy to have com-  
 posed a part of it. Whatever may be my  
 sentiments on the subject, all I wish is, to im-  
 press upon the minds of my countrymen  
 such principles, as from their excellence  
 and importance, deserve the most serious

\* Constitution, p. 29.—30.

consideration, and which may be easily adopted in the British constitution, without destroying any of its component parts ; some of which principles I will venture to assert, must speedily be adopted, unless we mean to rest contented with the form of a free constitution, without the substance ; with the body without the soul ; or in other words, with the semblance of political liberty without its reality. The nature of the French representation, as it respects the legislative body—the manner in which the representatives are chosen—the term for which they are elected, and the means made use of to preserve the legislature pure and uncorrupt—the peculiar excellencies of the French representation, contrasted with the peculiar defects of the British :—These are the subjects I shall now proceed to discuss, and which will, I trust, lead to some very important conclusions.

The kingdom of France, by the new division, is composed of eighty three departments ; the number of representatives is seven hundred and forty-five, who are chosen according to the three proportions of territory, of population, and of direct contribution : of the seven hundred and forty-five

five

five representatives, two hundred and forty-seven are chosen for the territory, or three for each department, except that of Paris, which nominates but one. Two hundred and forty-nine representatives are chosen for the population: the mass of the people is divided into two hundred and forty-nine parts, and each department nominates as many of the deputies as it contains parts of the population. The remaining number of two hundred and forty-nine representatives, are chosen according to the direct contribution, or amount of taxes paid by the nation. The sum total of this contribution is likewise divided into two hundred and forty-nine parts; and each department nominates as many of the deputies as it pays parts of the contribution\*. The qualifications of the representatives, whether relative to property, talents, or virtues, are left solely to be determined by the electors. The national assembly, by their legislative decrees, have however taken care, that no representative shall be in a state of indigence. They have acted upon that just principle which our ancestors acted upon,

\* Constitution, p. 31.—32.



of paying the representative properly for his services \* ; and have not left him to pay himself, by selling his honour, his conscience, and his constituents to a minister, or to a party. Each deputy is allowed eighteen livres or fifteen shillings a day. This sum was thought sufficient to place him in a state of respectability ; and it certainly is so, especially if we consider that the necessaries, conveniencies, and luxuries of life, are cheaper in France than in England ; and that it is improbable any person should be chosen a deputy who has not some property of his own. By this means, the electors are not limited in their choice to those persons who have a large pecuniary qualification †, or debarred from electing

\* In the reign of Edward the Third, four shillings a day were allowed for a knight of the shire, and two shillings for a citizen or burghers : this was equivalent to a sum of ten times the value in the present day.

† The qualification in Great Britain, for county members is six hundred, and for others, three hundred a year. It is well known that this is frequently nominal ; and that many persons swear to their qualifications, who in reality, are not worth a shilling. An attempt was made in the House of Commons, a few years since, to regulate this matter, but the different parties thought it best to let it rest as it does at present.

those

those who by their situation and circumstances in life, are in a state of mediocrity, but whose talents and virtues may frequently point them out as the best qualified to serve their country.

The electors (or electoral assemblies) who choose the deputies to the national assembly, form a considerable body of people in each department, chosen by the active citizens. Their office is of great consequence, as they are entrusted, not only with the choice of representatives, but of a variety of other persons who are to fill some of the most important offices, civil and ecclesiastical. As no salary is allowed to the electors, and as the trust reposed in them is of such considerable magnitude, it was judged necessary that they should be selected from that class of citizens, who are so qualified with respect to property, as to raise them above those temptations to which the laborious and the indigent are too often subject \*. This qualification, from its

\* Mr. Barnave, when the qualifications of electors were debated in the national assembly, observed, that in England the electors were purchased at all prices, from a place or a pension, to a pot of beer.

smallness, seems intended to prevent such persons only, from becoming electors, who may not possess the visible and settled means of procuring a decent livelihood\*. The electors, or electoral assemblies, are chosen by the active citizens. The right of choice extends to every citizen who pays in direct taxes to government, the value of three days labour, or two shillings and sixpence *per annum*. The active citizens meet, and form themselves into primary assemblies, in the towns, or cantons where they reside, and name the electors, according to the rules laid down in the constitution†. The mode of election in the primary and in the electoral assemblies is by ballot: an oath in the most solemn manner is administered, by which every elector and active citizen, swears that he has received neither gift, reward, or promise of reward, for his suffrage, and that he will vote for the person who in his judgment and conscience, he thinks most worthy of his choice. The civic oath, by which every citizen swears to be faithful to the nation, the law,

\* Constitution, p. 34.

† Ibid. p. 34.



and the king, and to maintain the constitution to the utmost of his power, is taken by the deputies, the electors and the active citizens\*.

The term for which the legislative body and the electoral assemblies are chosen is two years, at the expiration of which, the trust of each, delegated ~~to them~~ by the citizens, returns to them again; they then form themselves as before, into primary assemblies, and proceed to a new election.

A short account of the manner of choosing deputies for the city of Paris, will be sufficient to afford a tolerable idea of the nature of the French elections.

The number of active citizens is upwards of seventy thousand. These are summoned by the proper officers, and by public advertisements, to meet in sections, of which there are forty-eight. The citizens, when assembled, proceed to nominate the electors, according to the proportionate number to be chosen for each section. When the election is finished, the proper officers summon the electors, who form themselves into one body, and proceed to nominate the deputies to

\* Constitution, p. 27.

the legislative assembly. The number of electors is upwards of nine hundred ; and that of the deputies twenty-four.

Such are the out-lines of the French representation ; it is needless to enter into farther particulars \* ; these being sufficient for our purpose, of comparing the representation of France with that of Great Britain ; and of enabling us to draw the necessary conclusions.

Previous, however, to my entering on the comparison, I shall take the liberty of hazarding a few general observations, the propriety of which, I shall cheerfully submit to the judgment, and candour, of the reader.

With respect to the French mode of representation, the national assembly appear to me to have kept in view the grand principles they had laid down in the declaration of rights, and to have acted upon

\* The reader may pursue the subject, by turning to the Constitution, p. 14—24, and by referring to Mr. Christie's Letters, vol. I. Letter 4. He will find in the latter work the numerous and palpable mistakes of Mr. Burke pointed out. Whether these mistakes proceeded from ignorance, or something worse, the public can be at no loss to determine.

them as far, for the present, as was possible. Whether the plan they have adopted may not be improved, time will discover. An able defender of their general proceedings, disapproves "Of the elements of territory and contribution, which enter into the proportion of representatives, deput-  
 "ed by the various portions of the king-  
 "dom." The reason he gives for his disapprobation, is, "Land or money cannot  
 "be represented; men only can be repre-  
 "sented; and population alone ought to  
 "regulate the number of representatives  
 "which any district delegates\*." Should this ingenious writer re-consider the subject, he may, perhaps find, that as society is at present constituted, territory and property, in a plan for *equal* representation ought to be considered. Although land or money cannot be represented, yet the owners of it certainly may. Let it be recollected, that the plan of the French does not afford more power to one individual than to another, the rich, like the poor man, having only a single vote; at the same time where one part of the community are pos-

\* Mackintosh, p. 228.



fessed as a body or district, of larger property than another, that part has a larger share in the representation. That those parts of the community which have the greater share of property, and which pay the greater share of taxes to government, should bear a proportionate share in the representation, appears to be founded on the purest principles of justice and equity ;  
 “ The national assembly, by endeavouring  
 “ to combine together the three bases of representation, extent of territory, amount  
 “ of population, and sum of property, have  
 “ given a proof of the originality and correctness of their ideas of political œconomy ; and if their plan succeed, as there  
 “ is every reason to hope, they will have  
 “ carried representation farther than any  
 “ people have done before, and have advanced it as near perfection (perhaps)  
 “ as the condition of man will permit \*.”

The qualification for an active citizen has been most severely condemned, not only by Mr. Burke, but by his able opponent, in other respects, Mr. Mackintosh, who thus expresses himself: “ I cordially agree with

\* Christie, vol. I. p. 196.

“ Mr. B. in reprobating the impotent and  
 “ preposterous qualification, by which the  
 “ assembly have disfranchised every citizen,  
 “ who does not pay a direct contribution,  
 “ equivalent to the price of three days la-  
 “ bour. Nothing can be more evident  
 “ than its inefficacy for any purpose but  
 “ the display of inconsistency, and the vio-  
 “ lation of justice\*.” These censures are  
 followed by some so severe on the national  
 assembly, that I cannot but hope when the  
 authour reflects on the conduct of that  
 illustrious body, he will retract them, as  
 too harsh, not to say as absolutely unjust.

And here I cannot but observe, that it  
 is very uncandid to charge the national as-  
 sembly with disfranchising the citizens.  
 They have not disfranchised a single one.  
 On the contrary, they have restored mil-  
 lions to the exercise of those franchises of  
 which the people had been deprived for  
 ages, or rather which there is no instance  
 of their enjoying in so extensive a manner.  
 In the consideration of so important a sub-  
 ject, it is a question which it is not easy to  
 solve, whether it was, all circumstances con-

\* Mackintosh, p. 226.

sidered,

sidered, most wise or just in the national assembly to declare the right of voting universal, to every citizen, or to make the trifling contribution which they have, the necessary qualification. I confess, that rendering any pecuniary qualification absolutely necessary, is seemingly contradictory to the declaration of rights; but the warmest friend of that declaration must confess, that the utmost care is requisite, in restoring to mankind rights which for a considerable length of time, they have not enjoyed, and which require to be understood in proportion as they are brought into exercise. All men have an equal right to the light of the sun; but what should we say to the oculist, who would expose the eyes of a person newly restored to sight, to the meridian splendour of that luminary? All men are born and remain free and equal in rights; and every good man must ardently pray that the happy time may speedily arrive, when slavery shall be completely annihilated; but the attempt to effect this *at once*, would be the most effectual way of defeating the noble and benevolent end proposed. Let the legislators of the world enlighten mankind by every method in their power: when ignorance



norance is removed, slavery cannot long remain. In proportion as men understand, they will claim their rights. Should the passive citizens of France, at any future period, demand the exercise of those rights possessed by their fellow-citizens, I trust their demand will not long be resisted. It is not improbable, that the extension of the right of election may, in the course of a few years, be the subject of consideration for a constituent assembly : As the people however, are well satisfied with their present mode of representation, as it promises to be productive of almost the greatest good ; as *all parties* agree that *little practical evil* can possibly result from the right of voting not being universally extended \* ; as the French representation, even in its first formation, is the most perfect the world has yet seen ; and as the path is laid down by which it may be advanced still nearer to perfection ; I think whoever properly takes all these circumstances into consideration, so far from lavishing his censures on the national assembly for not going far enough, will acknowledge (especially in the present day, when political vir-

\* Mackintosh, p. 228.

tue is so scarce, and patriotifm seems but a name in most countries) he can never fufficiently applaud that afsembly for going fo far as they have. As Britons, reflecting on the prefent ftate of our own representation, we fhould be very cautious how we haftily censure that of our Gallic friends; and when fuch a man as Mr. Burke, who feems to glory in his oppofition to parliamentary reform in his own country, prefumes to revile the French, for not making a perfect plan of their own, it is only neceffary for a Frenchman juft by way of reply, to whifper in his ear; “Thou hypocrite; firft caft out the beam out of thine  
“own eye, and then thou fhalt fee clearly  
“to caft out the mote out of thy brother’s  
“eye\*.”

With regard to the appointment of elec-

\* I beg leave, on this fubject, to refer the reader to Mr. Chriftie’s Remarks in his Letters, vol. I. p. 3. They are the more deferving attention, as few perfons who have written on the French revolution, have had fuch opportunities for information as that gentleman, or are fo well qualified to form a judgment in a matter concerning which there has been much faid, with great plaufibility on both fides, by men whole views appear to be equally difinterefted.

toral

toral assemblies, or intermediate bodies, between the active citizens and the deputies, it seems generally allowed, that this is an excellent method, especially on the first restoration of a people to the right of election, for collecting the wisdom and virtue of a nation. Similar plans have been formerly pointed out by theorists (Mr. Hume in particular) as the most perfect they could devise. The objections which have been started by some few persons, who seem to hate pure representation in any mode whatever, I do not think it worth while to notice. I have other points, and those of greater consequence, to which I now solicit the attention of my countrymen.

From the general remarks I have made on the French representation, I proceed to point out some of its peculiar excellencies, such as I hope will appear in the same light to the reader as to the writer.

THE FIRST EXCELLENCE in the above plan, is; EQUALITY. The number of electors and of deputies to the legislature, are chosen according to the most exact ratio. Every citizen is directly represented, who pays in taxes to government the very trifling sum of two shillings and sixpence *per annum*. In-

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equality



equality can never, in such a plan, have footing. Time and chance, and that variety of circumstances which have made such havock in other plans, cannot affect this. That inequality, and those irregularities of which surely every man in Great Britain must be more or less sensible, are completely guarded against. To make us feel as we ought on this occasion, let us a little reflect on what is called, British representation. Our House of Commons contains five hundred and fifty-eight members, of whom two hundred are elected by seven thousand constituents; so that a majority of these seven thousand may, under certain circumstances, decide a question against as many millions \*. The largest county in England, Yorkshire, which contains near a million of souls, sends only two members, while the smallest county, Rutland, which contains scarce the hundredth part of the inhabitants of Yorkshire, sends the same number. The boroughs of Gatton, and Old Sarum, not to mention others, which have only

\* The above statement is within compass; some writers have asserted that a majority of the House of Commons is chosen by less than seven thousand electors.

three or four voters, send two members each ; while the city of Westminster, which contains fourteen or fifteen thousand voters, has only the same number of members, two, to represent it. Manchester, one of our most flourishing towns, containing sixty thousand persons, is not allowed the choice of a single member. Numerous instances of similar inequality might be mentioned, but these are sufficient. The fact is, that about one half of the House of Commons obtain their seats by popular election (in what manner we shall presently consider) and the other half by purchase, or by the nomination of single proprietors of estates, who purchase those estates, for the sake of the seats in parliament annexed to them. The consequence of these inequalities is, that while a few interested persons send a large number of representatives to parliament, a vast majority of the people have “ No representative at all, nor more power or concern in the election of those who are to make the laws, *than if they were the subjects of the Grand Signior*\*!” The ine-

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quality

\* The above is the language of a dignitary of the church of England, to whose account of our representation I have chiefly

quality in the number of our representatives, is not the only one deserving attention. The inequality respecting the pecuniary qualification of our voters, is no less remarkable. In some places, scarce any qualification is requisite. In others, it is so enormous, as to confine the right of election to a very small number. In some towns, every pot boiler, is admitted to vote ; in others, the most wealthy of the inhabitants are excluded. We have cities (such as Bath) containing twenty or thirty thousand inhabitants, where the members are elected by a corporation of twenty or thirty persons ; the corporators choose each other, and the inhabitants are obliged to remain idle spectators. The county of Cornwall is full of corporate towns, in which a few persons engross to themselves the right of election. A freehold estate of forty shillings a year, is the qualification necessary

chiefly confined myself. I have preferred such evidence, as every one will allow must be impartial, coming from an enemy to a parliamentary reform. See Archdeacon Paley's *Philosophy*, vol. II. p. 217—18.

To point out the inequalities of the British representation, and to oppose the reformation of them, is curious. Eccentricities of a similar nature in the above writer, we shall have occasion to notice in a future chapter.

for



for a county voter ; and whatever property a person may possess, if destitute of this particular species, his right of voting is withheld. In the city of London, the great body of the freemen are entirely cut off, and the right of election is confined to those who are members of companies or corporations ; in which the privilege can not be purchased under twenty or thirty pounds, and in few instances even for that sum.

Such is our representation, and such are its inequalities. Inequalities, which have so totally altered its original nature and design, that the House of Commons, as at present constituted, is little more than an engine of corruption in the hands of the crown, or the ministers of the crown, to accomplish measures which are often directly opposite to the interests of the people, and calculated to promote the purposes of ambition or despotism. " They order this  
" matter better in France." The National Assembly have fortified the constitution against those ravages, which have been made in the course of time, in the representation of their neighbours. The French representa-

ion is founded, and must remain firm on the basis of EQUALITY.

ANOTHER EXCELLENCE in the plan we are considering is ; THE MANNER IN WHICH THE ELECTIONS ARE CONDUCTED, or more strictly speaking, THE MODE IN WHICH THE ACTIVE CITIZENS AND THE ELECTORS GIVE THEIR SUFFRAGES. The whole is performed by ballot. By this mode every one is left to his own choice ; and is free on the one hand, from that fear of disobliging which proves a snare, and on the other, from that hope of reward which tempts from duty. Election by ballot strikes at the root of corruption ; bribery naturally ceases, because the means will not answer the end. I believe no candidate offers a bribe to a voter, without previously having so mean an opinion of him, that he would not even offer the bribe, unless he could watch the man, and see whether he voted as directed, or not. But when there are two or more candidates, and the suffrages of the electors are given by ballot ; should either, or all the candidates be so weak as to pay a voter, he may take his reward, and yet give his vote for either party, just as he pleases, without a possibility of detection.

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If the fellow should be suspected, it can be of no use to question him. In such a case, whether he tells truth, or lies, can only be known to himself; let him but keep his own counsel, and he may laugh at the folly of the candidates he has outwitted. Election by ballot, is one of the best methods the National Assembly could have devised to preserve the purity of election; it preserves the candidate pure, by making it his interest to be so, and by that means prevents him from pursuing the wretched traffick so common at our elections, and which ruins the purity of the electors, as well as that of the elected.

A THIRD EXCELLENCE in the French representation is; THE TERM FOR WHICH THE ELECTORAL AND THE LEGISLATIVE ASSEMBLIES ARE CHOSEN. Two years, and two years only: At the conclusion of which period, all the powers delegated to those assemblies, revert to the citizens. This is a most excellent method to ensure good behaviour from public servants. Every representative must have a powerful motive to be careful of the interest of the people, when he knows, for certain, that he must shortly surrender his trust, and that



his seat in any future legislature, depends upon his conduct in the past. Another blow is here struck at the root of corruption. Not only septennial bargains, but all bargains, are guarded against; for it can very seldom, if ever happen, that it should be worth while for any man to purchase a trust which he must so soon resign. It was that bare-faced INNOVATION of the present century, the SEPTENNIAL ACT, that totally altered the nature of the British constitution, opened wide the flood-gates of corruption; and which has proved one of the principal causes of that torrent of profligacy, which, at a general election, so overwhelms the people.

The term being absolutely fixed; and it not being in the power of the ministers of the crown to dissolve the legislative assembly, are circumstances well deserving notice. Where the representative body is elected for seven years, I confess it may be necessary to have the power of appealing to the people, delegated to the crown; but that necessity ceases, where the term of duration is only for two years. The French can never be taken by surprise, or hurried on to an election, without having proper time to consider the characters and qualifications of  
of

of those persons, who are to be entrusted with their dearest concerns. In Great Britain, the ministers of the crown have found out a new method (there not being sufficient methods before) to delude us. It was usual to let the House of Commons die, what is called, a natural death; but this has been found to be attended with some inconveniences to modern statesmen. The people, or rather that small part of the people, who exercise the right of election, knowing the common period when their representatives must resign their trust, might in some instances, be induced to enquire, how they had been served for the past, and who were the proper persons to elect for the future. By these means, they might be led to think, examine, and judge, with some degree of seriousness. I firmly believe that there is nothing more dreaded by a corrupt politician, than that the people should ever think for themselves. All the *prudent* statesmen of the popish hierarchy, have been peculiarly careful to prevent it. Mr. Burke, as we have already seen, thinks it the highest excellence of a constitution, that it cannot be comprehended by common people.

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That the people therefore, may not reflect, at a time when reflections may lead to consequences not the most agreeable to statesmen, the method now is, suddenly to dissolve the parliament, and to hurry as fast as possible, the new elections. The minister may previously, and at his leisure, unknown to any but his *right trusty and well beloved cousins and friends*, watch circumstances, balance advantages or disadvantages, form his plan, fix on the proper season for a dissolution, and act accordingly. We had a striking example of this wisdom in the conduct of our minister, previous to the last general election, when he dissolved the parliament six months before its natural time\*. That parliament had indeed proved so very obedient and obsequious, that it is hardly to be doubted, but Mr. Pitt would have shewn his regard and af-

\* I know not whether the minister's conduct respecting the dissolution of parliament, does not afford a key to one of the mysterious locks of Mr. Burke's government. "Political reason is a computing principle, adding, subtracting, multiplying, dividing, balancing between differences of good, in compromises between good and evil, and sometimes between evil and evil."



fection for it to the last moment, had it been prudent. But the times were critical. The Spanish quarrel had broke out; the vote of credit had passed; warlike preparations were going forward; some of our merchants and traders were already in possession of profitable contracts, and many more were waiting on tiptoe expectation, for those *good things*, which wars and rumours of wars, often produce. All was life and activity in the dock-yards, and in the towns and counties on the sea coast. Multitudes of officers in the army and in the navy, were looking up for preferment, and employment\*. It was doubtless recollected, that negociations are very uncertain in their progress, and in their conclusion: That ministers are sometimes as weak and irresolute, as they are at other times bold and determined: That there have been instances of negociations begun by bluster and menace, and concluded by flattery and crouching. At the moment therefore when ministerial influence, in the popular hemisphere, was at its zenith, *that* was the suitable time for dissolving

\* All these advantages were not thought quite sufficient. Six new peers were created immediately preceding the dissolution.

the parliament ; and the minister of the crown was too great a man, and too good a statesman, to let it slip. Parliament was dissolved. The event has justified the experiment. The disposition of the new House of Commons, from the specimen afforded in its first session, is exactly such as the minister could wish. It reposed in him confidence, that implicit confidence, to which his agents declared he was entitled. When some information was requested concerning the Spanish negociation ; when previous to voting four millions of money to defray the expence of the armament, it was asked, whether there had been a necessity for such an expence, or whether the negociation might not have been carried on in a less expensive manner, " His majesty's ministers had no information to give the house." The only reply we could get from the Chancellor of the Exchequer, was something similar to that of Mr. Gay's " Ant in " office,"

" Upon my honour all the expence,

" Though vast, was for the swarm's defence !"

The House was so well satisfied as to  
wave

wave all further enquiry, and testified, by a large majority, their approbation of ministerial conduct \*. Whether the negotiation with Russia will be applauded in the same manner, remains to be decided in the ensuing sessions †. Such were the ad-

\* It may appear singular, but it is a fact, that despotic governments, sometimes afford that information, which is denied under what are called free governments. In one of the memorials published by the court of Spain, it is asserted that the Spanish minister, Count Florida Blanca, made a proposal to negotiate with the British minister without making warlike preparations on either side, but that it was rejected. Whether this is a fair state of the case Mr. Pitt would not condescend to inform us. One thing is very plain; that the object which was the cause of the quarrel is now settling, as some people think it might have been originally settled, by commissioners in a counting house. As the British minister refused all kind of information, he must not be surprised if suspicion continues to ask, might not, at least, a part of the four millions have been saved, or was it not wanted for the purposes of electioneering?

† When I was at Paris, the Russian and the British memorials were published in the French gazettes. All that could be concluded from them was, that the Empress had made peace, on the same terms which she had offered a twelvemonth back. A considerable sum of money, has been expended on our part, and fifty or sixty thousand men have been slaughtered on the parts of Russia and Turkey, to obtain what?—Nothing. Such are Mr. Pitt's politicks!

vantages



vantages of a sudden dissolution of parliament to ministers; but the disadvantages to the people at large were proportionable. The friends of freedom, and of reformation, could not be heard amidst the clamour of parties. They had not time to collect, or to rally their thin and scattered forces. There were plans circulated through a part of the country, in which it was recommended to the electors, to fix their choice upon such men only, as were friends to a parliamentary reform, and who would engage to promote that measure; but the elections were nearly over, before the plans could be well circulated, or properly considered. The immediate bustle of a general election, allowed no time to think of the best means of promoting the public welfare.

In France, all these inconveniences are avoided: neither septennial traffick, or sudden dissolution, can ever be practised. The deputies know the precise time for which they are sent. The citizens know when that time expires, and may prepare for a new choice with the care that is requisite for such an important occasion.

THE LAST EXCELLENCE which I shall notice in the French representation is, THE

MEANS

MEANS MADE USE OF TO PRESERVE THE LEGISLATIVE BODY PURE, AND FREE FROM CORRUPTION. I shall only mention the principal, which is, the exclusion of those persons who are in possession of places and employments under the crown ; who receive pensions, and who are supposed to possess such influence, or to be under the power of influence, so that the virtue of the legislature may be endangered. “ Ministers, and other agents  
 “ of the executive power, removable at  
 “ pleasure ; commissioners of the national  
 “ treasury ; collectors and receivers of di-  
 “ rect contributions ; superintendants of  
 “ the collection, or management of indi-  
 “ rect contributions and national domains,  
 “ and those who under any denomination  
 “ whatever, are attached to the employs  
 “ of the military or civil household of the  
 “ king”—are not suffered, while holding  
 such employments, to be members of the  
 legislature \*. “ The members of the pre-  
 “ sent national assembly, and succeeding le-  
 “ gislatures,—cannot be advanced to the  
 “ ministry, nor receive any offices, gifts,  
 “ pensions, salaries, or commissions from the

\* Constitution, p. 36.

“executive power, or its agents, during  
 “the continuance of their functions, nor  
 “during two years after having finished the  
 “exercise of them\*.” Concerning these  
 articles, I think it must strike every one,  
 that they are most admirably calculated  
 to prevent undue influence, and to pre-  
 serve the legislature pure and uncorrupt.  
 The king’s ministers, although they have  
 admission into the national assembly, have  
 places assigned them, and are always to  
 be heard when they demand it on objects  
 relative to their administration, or when  
 they shall be required to give information,  
 or even on objects foreign to their admini-  
 stration, if the assembly thinks fit †, have no  
 farther business with that body. The mem-  
 bers are left to their own free choice, to  
 determine on all matters as their consci-  
 ences may direct. National affairs are nei-  
 ther forwarded, suspended, or negatived in  
 the legislative body, by the ministers of  
 the crown, who have the business of their  
 own proper departments to attend to, and  
 to which, by the constitution, they are to

\* Constitution, p. 53.

† Ibid. p. 66.



confine themselves. Their time is employed, as it ought to be, in the fulfilling the duties of their office, and their abilities are without interruption devoted to the most honourable service, those of ministers can possibly be, the service of their country.

If from the French, we now turn our attention to the British legislature, what do we there behold? The first object which strikes a spectator is, that famous place in the House of Commons, called the TREASURY BENCH. Here we find seated, the first lord of the treasury and chancellor of his majesty's exchequer, with a band of placemen, his chief supporters, on each side. All public business of importance is suspended, until this GREAT MAN makes his entrance. He is the grand superintendant and director of the house, and the business of his chief treasury secretary (amongst other *important* objects) is to watch, and to take care that his master has a proper majority to support his measures. That minister is reckoned the compleatest statesman, who by any means whatever can best manage the house, and have the largest majority of

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its

its members at his disposal \*. If we look a little farther into the House of Commons, we

\* Sir Robert Walpole was excellent in this way. As he is the favourite minister of Mr. Burke, it may not be amiss to give his character, as drawn by the late Lord Chesterfield; who prefaces it, by informing us, he was much acquainted with him, both in his public and his private life, and that he meant to do impartial justice to his character. After an indifferent account of his private life, his Lordship proceeds: " He was very able as a minister, " but without a certain elevation of mind, necessary for " great good, or great mischief. He was both the best " parliament man, and the ablest manager of parliament, " that I believe ever lived. An artful rather than an elo- " quent speaker; he saw, as by intuition, the disposition " of the house, and pressed, or receded accordingly. So " clear in stating the most intricate matters, especially in " the finances, that whilst he was speaking, the most ignorant thought that they understood what they really did " not. Money, not prerogative, was the chief engine of " his administration; and he employed it with a success " which in a manner disgraced humanity. He was not, " it is true, the inventor of that shameful method of go- " verning, which had been gaining ground insensibly ever " since Charles II. but with uncommon skill and un- " bounded profusion he brought it to that perfection, which " at this time dishonours and distresses this country, and " which, if not checked (and God knows how it can now " be checked) must ruin it. Besides this powerful engine " of government, he had a most extraordinary talent of " persuading

we shall see an host of placemen and pensioners ; of dependants on the crown, and on the ministers. All these men, from the highest to the lowest, are allowed not only seats, but votes on every occasion ; they are so numerous, so connected, and so united, that any attempt to enforce measures which do not meet with their approbation, is almost always frustrated. A secret history of the administrations of this country, for a

“ persuading and working men up to his purpose. A hearty  
 “ kind of frankness, which sometimes seemed imprudence,  
 “ made people think that he let them into his secrets, while  
 “ the impoliteness of his manners seemed to attest his sincerity. When he found any body proof against pecuniary temptations, which alas ! was but seldom, he had  
 “ recourse to a still worse art ; for he laughed at, and ridiculed all notions of public virtue, and the love of one’s  
 “ country, calling them “ The chimerical school-boy  
 “ flights of classical learning ;” declaring himself at the  
 “ same time, “ No saint, no Spartan, no reformer.” He  
 “ would frequently ask young fellows, at their first appearance in the world, while their honest hearts were yet  
 “ untainted ; “ Well, are you to be an old Roman ? a  
 “ patriot ? You will soon come off that, and grow wiser.”  
 “ And thus he was more dangerous to the morals than to  
 “ the liberties of his country, to which I am persuaded  
 “ he meant no ill in his heart.” This is the minister whom Mr. Burke calls AN HONOURABLE MAN, AND A SOUND WHIG. (Appeal, p. 64) From all such honourable men, and such Whigs, Good Lord deliver us !



century past, and of the means the major part of them have used to preserve the house of Commons in due order, would be a great curiosity, and might tend to open the eyes of the public, more than a thousand arguments. It is a pity we have not a few more such instructive publications, as the Diary of the late Lord Melcombe. In this celebrated performance, we have courtiers and ministers, and their various schemes fairly and impartially exposed to view. We there find what constitutes merit with a minister; and are shewn the methods by which men may reach the pinnacle of ministerial ambition. His Lordship was himself a courtier and a statesman, and he lets us occasionally into the recesses of his own heart. He informs us of the terms he made with the minister of that day. When soliciting a place, he took care to remind him repeatedly, that "He could give his majesty "six members for nothing," trusting that the minister would not forget his generosity in "offering boroughs *for nothing*, "when they were a commodity so particularly marketable:" at the same time, he gives us in part to understand the meaning of such an expression. "I saw (says his Lordship

Lordship) the Duke of Newcastle, and told  
 “ him that in these matters [elections] those  
 “ who would take money I would pay, and  
 “ not bring him a bill; *those that would not*  
 “ *take money, he must pay*, and I recommend-  
 “ ed my two parsons of Bridgewater and  
 “ Weymouth, *Burroughs* and *Franklin*. He  
 “ entered into my views very cordially, and  
 “ assured me that they should have the first  
 “ crown livings that should be vacant in  
 “ their parts, if we would look out and  
 “ send him the first intelligence\*.” But  
 we must leave past administrations, and con-  
 fine ourselves to the present. Whether we  
 shall ever have the Diary published of the  
*Heaven born minister*, now at the head of the  
 treasury, is uncertain. From his publick  
 measures we may do him the justice to as-

\* Lord Melcombe’s Diary, p. 256. I just remark by the way, that if my readers should have any doubt as to the meaning of a phrase which has been of late very fashionable, *Alliance between church and state*, the above quotation may explain it to them, and let them a little into the nature and usefulness of that alliance. It is no wonder that such statesmen as Messrs. Pitt and Burke should be high church-men; or that they should consider our present church establishment, not only as “convenient, but as essential to the state,” and should pass such extravagant encomiums upon it, as the one has in his speeches, and the other in his writings.

fert that no minister has ever taken better care of himself, and his friends, or had the members of the House more at command, or more extended the influence of the crown. It is only necessary to mention the enormous encrease of the peerage\* ; the continual encroachments of the excise laws† ;  
the

\* Fifty peers have been created during the present administration, a greater number in eight years, than were created the twenty-three preceding years of the present reign. Blackstone remarks, as an extraordinary occurrence, that "That once in the reign of Queen Anne, there  
" was an instance of creating no less than twelve peers together ; in contemplation of which, in the reign of king  
" George I. a bill passed the House of Lords, for limiting the number of the peerage. This was thought by  
" some to promise a great acquisition to the constitution,  
" by restraining the prerogative from gaining the ascendant in that august assembly, by pouring in at pleasure  
" an unlimited number of new-created lords. But the bill  
" miscarried in the House of Commons, whose leading  
" members were desirous to keep the avenues to the other  
" house as open and easy as possible." Comm. vol. I. p. 157. If the creation of twelve peers created so much uneasiness in the nation, as in the opinion of many to render a bill necessary, to limit the peerage ; what ought the creation of fifty to do ? I shall say nothing concerning the fifteen baronets, which have lately been made at a batch ; but let their patents lie (as the Lord Chancellor seems disposed) quietly on the shelf.

† " The rigour and arbitrary proceedings of excise laws  
" seem hardly compatible with the temper of a free nation.

" The



the large additions made to our peace establishment †: these, not to mention other instances, afford sufficient proofs of the skill of the minister, in encreasing his power and influence, especially in the legislative body. His abilities likewise, with those of his treasury secretary, in electioneering, ought not

“ The officers have a power of entering and searching the  
 “ houses of such as deal in exciseable commodities, at any  
 “ hour of the day, and in many cases, of the night like-  
 “ wise: and the proceedings in case of transgressions are  
 “ so summary and sudden, that a man may be convicted in  
 “ two days time in the penalty of many thousand pounds,  
 “ by two commissioners or justices of the peace; to the  
 “ total exclusion of trial by jury, and disregard of the com-  
 “ mon law. From its first original, to the present time,  
 “ its very name, EXCISE, has been odious to the people of  
 “ England; and no friend to his country would wish the  
 “ list of exciseable articles encreased.” Such was the lan-  
 guage of Judge Blackstone, twenty years since. (Comm.  
 vol. I. p. 319. 320.) What would this distinguished  
 lawyer have said, had he lived to witness the passive tame-  
 ness of his countrymen, under the present administration;  
 when not only the excise laws have been considerably ex-  
 tended, but when a hint has been given by one of the  
 ministers (Mr. D.) of the propriety of a *general excise*, as  
 the best means of improving the revenues of the country?

† I shall say nothing respecting the increase of expence attending our peace establishment. It is a common observation, that such has been the promotion of admirals of late, that we may, in any future war, have an admiral to every ship of the line.

to pass unnoticed. Other ministers may have been *suspected* of similar doings, but the present first lord of the treasury, and his secretary, have *their* electioneering honours blazoned in a court of justice. By a late trial, not only the present, but future ages may learn, that the secretary of the treasury did, in the presence of the minister, hire the owner of a public house, to engage in a Westminster election, on the side of the court candidate; that an exchequer fine, levied for a breach of the laws, was ~~remitted~~ <sup>mitigated</sup> as a recompence to the publican, for *engaging heartily in the cause*; with other facts equally honourable\*. Such tricks as these, thus publicly exposed, would at some former periods, have made a minister almost ashamed to look the representatives of the nation in the face; but our present members will, it is presumed, be too polite to make even the least enquiry into

\* Trial of George Rose, Esq. It has been a matter of surprise, how Mr. Pitt, to whom all parties will allow the praise of being (in his way) a consummate politician, could suffer an electioneering dispute with a publican, to be brought into Westminster-hall. Report says, it was done to determine a variety of similar disputes. If this is not the case, it shews that the minister has that opinion of the people, as to imagine they can bear any contemptuous treatment whatever.  
the

the conduct of a man, to whom they appear to have resigned their understandings, and in whom they have placed *implicit confidence*. In France the whole system is different. Ministers, and their agents are not suffered to interfere in the election of the deputies: they are not suffered to vote in the assembly; and should they dare to assume such airs, or perform such feats as the ministers of this country, they would lose, in all probability, not only their places, but their heads in the bargain.

As the National Assembly have endeavoured to preserve the representatives of the nation free from the influence of the crown, or the ministers of the crown on the one hand; they have taken equal care to preserve them from popular influence on the other. They have expressly guarded against that republican sentiment which has been too hastily adopted by some worthy people in this country; namely, that a member is bound on all occasions, to obey the instructions of his constituents; a sentiment which tends to destroy the noble freedom that should reign in the breast of a legislator; destitute of which, he may, in certain cases, be left without honour or conscience, and compelled



pelled to do what he may judge tends materially to injure his country. The French constitution declares, "the representatives named in the departments, shall not be representatives of a particular department, but of the whole nation ; and no mandate can be given them\*." Had this sentiment properly prevailed in this country, I should not have had the mortification of seeing the ridiculous situation, in which some worthy members were placed last year, on the famous debate concerning the Test Act. They arose and spoke in favour of the repeal, but closed their speeches with declaring, that they should vote against it, because their constituents had ordered them. What constituents, we may ask, must those be, who compel their members to vote against their consciences? Let the enemies of the repeal, who not only in this, but in other instances, acted contrary to the spirit of our constitution ; let them, if they can, produce actions of a similar nature, on the side of their opponents.

From the comparison which I have drawn between the French and the English repre-

\* Constitution, p. 34,

sentation,

sentation, I have little doubt but every impartial reader will see the necessity of adopting, at least, some of the principles of the former, in the latter. Should any one hesitate on the subject, I must request his attention, while I consider the nature of a general election in one country, and in the other. Some of the enemies of a parliamentary reform, have objected to the extending the right of voting, because of the riot and confusion which may attend popular elections. The same objection might with the same propriety be urged against every popular election. But we may be assured, that where any riot or confusion takes place, it is owing to the want of a proper mode, by which electors, however numerous, might freely, and yet peaceably give their suffrages. I was lately at a general election at Paris, at a time when confusion of some sort might have been expected, government being in a state of derangement, and the constitution not being finished. Upwards of seventy thousand citizens exercised the right of voting. By dividing the city into sections, and by various excellent regulations, notwithstanding the election lasted upwards of a month,

all

all was peace; and order reigned universally. So far from rioting and drunkenness, there was not even that conviviality, without which we know not how to conduct an election in England. My good social friends, with whom I have canvassed in this country, will pity me when I inform them, that although I was a little active in my enquiries with the citizens and electors of Paris; although there were twenty-four deputies elected, I could not find one who gave an election dinner; nor was I able to discover one open house, where I could mingle with the citizens, and sit down to a bottle of wine, to drink success to a favourite candidate. The truth is, the French are not fond of their representatives purchasing their seats, for fear they should afterwards reimburse themselves, by selling their constituents. A general election is therefore begun, carried on and completed, without expence, throughout the kingdom.

It is with reluctance that I now turn to a general election in England; where, all circumstances considered, it is a matter of doubt, whether the septennial exercise of our rights, is a curse, or a blessing. Every one must agree, that in a moral point of view,



view, nothing can be more alarming, or more disgraceful, than the conduct of candidates and electors, at such a period. That corruption, which during the continuance of the House of Commons is a standing pool, now swells, and rushes forth, in a mighty, resistless, overflowing torrent. Ministers, and candidates, and voters, are bought and sold, as truly, and as literally, as horses, oxen, and swine, in Smithfield market\*. Those persons who have purchased estates (sold sometimes by public auction) with valuable contingencies, *alias* boroughs, annexed to them, now rise into importance. The grand business of the minister of the crown, and his agents, is to secure as many boroughs as possible; and if a borough-holder will sell himself to advantage, now is the time. There are certain persons, called jobbers, whose business

\* When our statesmen consider the above fact, it is hoped that they will not use such insolent language, as they sometimes do, when speaking of the people; calling them, *Scum of the earth, swinish multitude, &c.* For although it must be confessed the middling and the lower classes of people are too apt to imitate their superiours, yet it is generally in consequence of strong temptation, and a bad example. It is the practice of Satan to entice men to sin, to render them like himself, and afterwards to reproach them.

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it is to watch the market, and to give information accordingly. The prices are various, according to the parties, or situations of the different traders. The late Lord Chesterfield having met with a disappointment from some *Great man*, who had promised him a seat for his son Mr. Stanhope, writes to the latter as follows ; “ Since  
 “ that (disappointment) I have heard no  
 “ more of it ; which made me look out for  
 “ some venal borough : and I spoke to a  
 “ borough-jobber, and offered five and  
 “ twenty hundred pounds for a secure seat  
 “ in parliament ; but he laughed at my  
 “ offer ; and said, that there was no such  
 “ thing as a borough to be had now ; for  
 “ that the rich East and West Indians had  
 “ secured them all, at the rate of three thousand  
 “ pounds at least ; but many at four  
 “ thousand ; and two or three that he knew  
 “ at five thousand.”—

In another letter his Lordship writes,  
 “ Elections here have been carried to a degree of frenzy hitherto unheard of ; that  
 “ for the town of Northampton has cost the  
 “ contending parties, at least thirty thousand  
 “ pounds a side, and — ——— has sold his  
 “ borough

“borough of ——— to two members for  
 “nine thousand pounds\*.” As to our corporations, where the choice is made by twenty or thirty persons, the business is generally settled in a pretty, snug, quiet manner. There are generally two or three active persons (the clergy are clever men at electioneering of all kinds—CHURCH and STATE!) who settle the business for the rest. The majority of the members of these corporations, are commonly purchased beforehand. Those gentlemen, who by personal favours, or by favours to some brother, or cousin, or relation of the electors, can oblige the most extensively, are sure of their seats without farther trouble. Some of these corporations barter their independence, as much as they possibly can, by choosing their representatives for corporators; although there are respectable inhabitants much better qualified to manage the affairs of the town, than men who have no connection

\* Lord Chesterfield’s Letters, vol. IV. p. 269. 274.  
 It is the practice of gentlemen, under certain circumstances to resign their seats. In such case the minister is ready to purchase, or to give an equivalent for such resignation. See a transaction of this kind, in the work just referred to, vol. IV. p. 218.

with



with it, but what is disgraceful ; and who only visit it twice or thrice in seven years, just to keep up a proper acquaintance with their *worthy* and *independent* constituents. As to our popular elections for towns, cities, and counties, when a contest takes place, what scenes do they generally present ? Candidates degrading themselves by practising all sorts of meanness, and electors equally degrading themselves by practising all sorts of vice ; the former often ruin their fortunes, the latter their virtue, and both their characters. Canvassing, carousing, intoxication, rioting, bribery, lying, and perjury, deprave and debauch the morals of the community. Here we behold Britons transformed into brutes, or rather into something worse than brutes : men endowed with reason, understanding, and conscience, and professing Christianity, sinking below the beasts that perish \*. The worthiest

\* “ The luxury, riot, debauchery, lust, and madness of  
 “ the present age, can never be painted in colours equal to  
 “ the life : our language hath no words, nor powers equal  
 “ to the subject, nor is there a language in the world  
 “ strong and copious enough for it : a new one ought to be  
 “ made on purpose that has phrases, images, and energies  
 “ that were never known before ; and even then, the  
 “ keenness

worthiest part of the community are often contaminated. Inflamed by party heat; family feuds, and almost irreconcilable differences are engendered between those who once lived in harmony, friendship and affection, the one with the other. These circumstances considered, it is not surprising, that the inhabitants of some of our largest towns, should quietly acquiesce in the deprivation of their right of choosing representatives, or, that in other towns where a contested election, on account of its complicated evils, is deprecated as much almost as the pestilence: the people should leave their representatives to be chosen by the leaders of parties only, noblemen who have most interest, and who settle the business between themselves; by which means the people remain, in fact, without any choice at all. The city of Westminster, at the last election, affords a striking illustration of this subject.

“ keenness of a Juvenal, the imaginative powers of a Milton, and the force and grandeur of a Young united, would be all too weak to form an eloquence and language equal to our crimes.” If any one should think this portrait too highly coloured, he has only to look at a general election.

In order to avoid a similar contest to that of the preceding year, in which the different candidates and their friends, had spent upwards of eighty thousand pounds; and riot had ended in murder; a compromise was agreed to by the heads of the parties, which might be termed disgraceful, had it not prevented a disgraceful election\*. Compromises of a similar kind, are frequently settled by the aristocratick leaders in different counties; and whether the people are right or wrong in submitting to such compromises, I am at a loss to determine.

Having thus given a fair and impartial, though imperfect sketch, of the French and the English representation; I hope my readers are convinced of the necessity of our so far following the example of our neighbours, as to endeavour to procure an equal representation of the people; a House of

\* See Mr. Fox's Speech to the electors of Westminster on the above occasion. He states the expence of the election, on the part of Lord John Townshend, in the year 1789, at forty thousand pounds. It may be very reasonably supposed, that the expence was not less on the side of the court candidate Lord Hood; especially as it is now known he was supported by the Secretary of the Treasury. See the trial before referred to.



Commons which may be something more than an instrument of corruption, holding out to the people the name of liberty, and leaving them almost destitute of the reality. If what I have related is true, and let any one deny it if he can, our representation, as it is called, is little else than a semblance, a form, a theory, a mockery, a shadow, if not a nuisance. Statesmen, however are of a different opinion. Mr. Burke has the effrontery to declare, "That our representation has been found perfectly adequate to all the purposes for which a representation of the people can be devised or desired. I defy," adds he, "the enemies of our constitution to shew the contrary\*." Without allowing myself to be what Mr. Burke is pleased to call an enemy to the constitution, although I am an enemy to the abominations which have almost subverted it from its original nature, I beg leave to repeat what I asserted concerning a general election; that it is a matter of doubt whether the House of Commons, all circumstances considered, is a blessing or a curse to the nation. It may have been

\* Reflections, p. 83.

“ found perfectly adequate to all the pur-  
 “ poses for which a representation can be  
 “ devised or desired” by statesmen like Mr.  
 B. It may, in other words, have been the  
 grand theatre of corruption, where the  
 principal actors were devoted to the will  
 of the minister, and ready as occasion might  
 offer, to sacrifice the dearest interests of the  
 people; to serve the purposes of the court,  
 or the ambition of a faction. What a pa-  
 triot of the last reign, Sir John St. Aubin,  
 asserted respecting our representation, is so  
 just, that I cannot but wish the same lan-  
 guage was repeated in the House of Com-  
 mons, and out of it, till it had its proper  
 effect. Speaking of Charles the Second,  
 he observed; “ This king naturally took  
 “ a surfeit of parliaments in his father’s  
 “ time, and was therefore extremely de-  
 “ sirous to lay them aside: but this was  
 “ a scheme impracticable. However in ef-  
 “ fect he did so, for he obtained a parlia-  
 “ ment, which by its long duration, like an  
 “ army of veterans, became so exactly dis-  
 “ ciplined to his own measures, that they  
 “ knew no other command, but from that  
 “ person who gave them pay. This was a  
 “ most safe, and most ingenious way of en-  
 “ slaving

“flaving a nation. It was very well known  
 “that arbitrary power, if it was open and  
 “avowed, would never prevail here; the  
 “people were amused with the specious  
 “form of their ancient constitution; it  
 “existed indeed in their fancy; but like a  
 “mere phantom, had no substance nor  
 “reality in it; for the authority, the dig-  
 “nity of parliaments were wholly lost.  
 “This was that remarkable parliament,  
 “which so justly obtained the name of the  
 “pension parliament; and was the model  
 “from which I believe, some later parlia-  
 “ments have been exactly copied.” Whether the orator, from one of whose speeches, the above extract is taken, was endued with a spirit of prophecy or not, I shall by no means pretend to determine; but certainly what he conjectured concerning future times, was not very far from the truth.  
 “If a minister should ever gain a corrupt  
 “familiarity with our boroughs; if he should  
 “keep a register of them in his closet, and  
 “by sending down his treasury mandates,  
 “should procure a spurious representation  
 “of the people, the offspring of his cor-  
 “ruption, who will be at all times ready to  
 “reconcile and justify the most contradic-



“ tory measures of his administration, and  
 “ even to vote every crude indigested dream  
 “ of their patron into a law ; if the main-  
 “ tenance of his power should become the  
 “ sole object of their attention, and they  
 “ should be guilty of the most violent  
 “ breach of parliamentary trust, by giving  
 “ the king a discretionary liberty of taxing  
 “ the people, the last fatal compliment  
 “ they can pay to the crown ;—If this  
 “ should ever be the unhappy condition of  
 “ this nation ; the people indeed may com-  
 “ plain ; but the doors of that place where  
 “ their complaints should be heard, will  
 “ for ever be shut against them.” It is true  
 the House of Commons has not yet given  
 the King the discretionary liberty of taxing  
 the people, nor are the doors of the house  
 yet ordered to be shut against their com-  
 plaints : but these last stages of corruption  
 excepted, nothing was imagined by this  
 celebrated speaker, but what has been since  
 realized.

It would be no difficult matter to shew,  
 that the House of Commons, in its present  
 state, so far from being “ Perfectly adequate  
 “ to all the purposes for which a represen-  
 “ tation of the people can be devised or de-  
 “ fired,”

“fired,” is scarcely adequate to any one of those purposes. If a representation has any proper end in view, it must be this, that the voice of the people should be fairly expressed, or in other words, that “The law should be the expression of the general will.” Proofs might be given to shew that a modern House of Commons, so far from attending to the voice of the people, often acts diametrically opposite to it. I shall mention a recent instance to shew with what contempt that house has treated publick opinion, on a question in which the honour, the justice, and the humanity of the British empire, was most materially involved ; I mean the question relative to the abolition of the slave trade. It is scarce necessary to mention the warmth with which, to the honour of the people, this business was taken up, as soon as the proper evidence was laid before them. The table of the House of Commons was covered with petitions from all parts of the kingdom, praying for a total abolition of a trade, which had long disgraced us as a nation, but the enormity of which we had not before considered. The privy council examined into the subject, and the evidence

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was strong in favour of the abolition. The House of Commons appointed a committee, which still more thoroughly investigated the business: the evidence of the committee served to strengthen that of the privy council, and the friends to the abolition hoped the happy period was approaching, when justice would be done, in some measure, to our unhappy fellow-creatures in the West Indies, and on the coast of Africa; and that the trade of enslaving and murdering our brethren of mankind, which we had carried on for centuries, would at last be completely annihilated. After the fullest investigation, the question was brought forward in the last session of parliament. Every honest man who read the debates on that occasion, must confess, that all the arguments, all the eloquence, all the justice, all the humanity, were entirely for the abolition. The minister of the crown made a tolerable speech, to shew the policy of the measure; but as it did not promise him any acquisition of power, he acted just as he had done a few years before, respecting a parliamentary reform; he merely spoke, without using any of his common influence on the occasion. And what was the result of the debate?—

To

To the eternal infamy of that house, the interest of a few individuals prevailed over every other consideration. Only eighty-eight persons were found, who deserved to be called MEN; and the question for the abolition was lost, by nearly a majority of two to one. So steeled were the hearts of some of the members, that they absolutely laughed at the relation of cruelties, which ought to have drawn from them tears of blood. No wonder that a speaker on that occasion, one of the few found “faithful among the faithless,” declared that he was ashamed of being a member of the British senate\*. I will add, that as the enormities of the trade are fairly exposed to publick view; as no arguments can be brought to justify it, but will equally justify the plunderer, the highwayman, and the murderer; we ought to be ashamed of the name of Britons, as long as we continue a traffick the most wicked and infernal that ever disgraced the human race. But it is not to be supposed the people will quietly suffer it to continue. They may rest for the present, in the assurances which have been

\* Mr. William Smith.



given them, that the question shall be renewed in the ensuing sessions. Mr. Wilberforce and Mr. Fox, not to mention others, whose zeal for the oppressed will ever render their names dear to the friends of humanity, stand pledged, never to forsake the glorious cause in which they have so nobly engaged. In the mean time, it is the duty of every individual to shew his abhorrence of the trade by all the means in his power. As the West India planters are resolved to continue their old system of cruelty, which can alone render the fresh importation of slaves necessary, I sincerely rejoice that associations are forming for the purpose of diminishing the consumption of West India produce ; and that many have resolved no longer to purchase an article, the cultivation of which is the cause of the greater part of the cruelties inflicted on the suffering negroes, I mean the article of sugar. When we consider that every ounce of it is, to use an expression of Dr. Franklin's, STEEPED IN BLOOD, it is time we should relinquish the guilty luxury. I cannot forbear adding on this subject, that as long as the trade is continued, we have reason to fear that heaven has some dreadful judgments in store

store to punish us, for our wickedness. We cannot any longer plead ignorance. Should therefore, the thunderbolts of DIVINE WRATH, be hurled upon our islands: should the ALMIGHTY AVENGER of the oppressed blast our West India possessions in one everlasting destruction; should the ruin of the British empire be thus accelerated; it is nothing more than our crimes give us reason to expect. We already find the guilty frightened. A spirit of resistance having shewn itself amongst the negroes in the French islands, the British merchants and planters are alarmed, lest a similar spirit of resistance should arise in our own. Nothing but the fear that the wretched negroes, from that habitual ignorance and slavery in which they have passed their lives, may not know how to make the proper use of their liberty; nothing but this consideration, prevents every good man from wishing success to all insurrections he may hear of in the West Indies, French or English.

I shall make no apology for the warmth I have discovered on this subject;

“ In such a cause 'tis impious to be calm \* !”

\* If any person should think I have used a single expression on this subject which borders on undue warmth, I  
have

I have selected one proof only amongst numbers ; but which evidently shews, that  
our

have only to request him to peruse the Abstract of the Evidence of the Committee of the House of Commons, (a thin octavo, printed for Phillips, George-yard) recollecting after he has perused it, that the committee suppressed part of the evidence, because it was too horrible to lay before the public. Well might Mr. Fox (whose sterling goodness and integrity on the occasion are more to be admired than even his matchless eloquence) plainly tell some of the gentlemen of his own party, as well as others, that the man who could, after reading such evidence, vote for a continuance of the trade, must have either a weak head, or a depraved heart, and possess nerves of which he could have no conception. Mr. Paley justly intimates, that a legislature which had supported the slave-trade, was not fit to be entrusted with the management of the British empire. If his intimation was applicable before the late evidence was produced, with how much greater force must it apply at present. The publick are under unspeakable obligations to the society for abolishing the trade, for the zeal and industry with which they have hitherto proceeded. There is however one thing they have omitted ; that is, the procuring and publishing a list of those—I know not what to call them, who voted against the abolition. I hope no party attachments will prevent such a list from being produced, as the publick ought to set a black mark on every name contained in it. Among the speakers on that side, the livery of London will recollect, with becoming indignation, Mr. BROOKE WATSON, who gave this as a reason why he could not consent to abolish the trade ;  
“ Because the negroes consumed the refuse of our fish-  
eries,



our representatives have no regard whatever to the opinion of the people.

I now, therefore, most earnestly hope, that my countrymen will consider the importance, and the necessity of that great national measure, which is the only one to prevent our ruin; A PARLIAMENTARY REFORM. In urging this measure, I only act in character as a Briton, and as a friend to the British constitution. It was the design of our ancestors to hand down to posterity, a representation which should fairly convey the sense of the people, and that the choice of representatives should be frequently exercised. I might easily prove this assertion by a reference to our best political writers, and historians. I shall, however, confine myself to the same respectable and impartial authority, I appealed to in the last

“eries.” Was this man rescued, in his youth, almost miraculously, from the jaws of a shark, in order that he might support a trade which makes men worse than sharks to thousands of their fellow-creatures!

Some of the members who disgraced themselves on the above occasion, promised to bring in a bill to regulate the trade. They have not yet done it. When they do, I hope the title will be, AN ACT TO REGULATE ROBBERY, PLUNDER, HOUSEBREAKING, KIDNAPPING, AND MURDER!!!

chapter,

chapter, whose evidence will fully justify me in what I have advanced. In his account of the British representation, he thus expresses himself: "The commons consist  
 " of all such men of any property in the  
 " kingdom, as have not seats in the House  
 " of Lords ; every one of which has a voice  
 " in parliament, either personally, or by  
 " his representative. In a free state, every  
 " man who is supposed a free agent, ought  
 " to be, in some measure, his own governor,  
 " and therefore a branch at least of the legislative power should reside in the WHOLE  
 " BODY of the people: and this power, when  
 " the territories of the states are small, and  
 " its citizens easily known, should be exercised by the people in their aggregate or  
 " collective capacity, as was wisely ordained  
 " in the petty republics of Greece, and the  
 " first rudiments of the Roman state. But  
 " this will be highly inconvenient when  
 " the public territory is extended to any  
 " considerable degree, and the number of  
 " citizens encreased.—In so large a state as  
 " ours it is therefore very wisely contrived,  
 " that the people should do that by their  
 " representatives, which it is impracticable  
 " to perform in person ; representatives,  
 " chosen

“ chosen by a number of minute and sepa-  
 “ rate districts, wherein all the voters are,  
 “ or easily may be distinguished.—In our  
 “ constitution, only such voters are entirely  
 “ excluded, as can have no will of their  
 “ own: there is hardly a free agent to be  
 “ found, but what is entitled to a vote in  
 “ some place or other in the kingdom.  
 “ This is the spirit of our constitution: not  
 “ that I assert it is in fact so perfect as I  
 “ have endeavoured to describe it; for if  
 “ any alteration might be wished or suggest-  
 “ ed in the present frame of parliaments, it  
 “ should be in favour of a more complete  
 “ representation of the people\*.”

This was the language of a law professor,  
 delivering his sentiments before the univer-  
 sity of Oxford. Although he was conscious  
 of the defects in our representation, it is  
 not to be wondered, considering his situa-  
 tion, that he did not use stronger language.  
 Comparing what he says, concerning the  
 nature and spirit of our constitution, with  
 its present state; we surely must be con-

\* Blackstone's Commentaries, book I. chap. 2. Mon-  
 tesquieu has a variety of observations similar to the above  
 in his Spirit of Laws, book XI.

vinced,



vinced, that its nature is grossly degenerated, and its spirit almost entirely lost.

We have heard much “ of the great danger of innovations.” It is to be lamented that statesmen had not always the same dread of innovations, which they now appear to have; or rather, that our modern statesmen were sincere in the use of the word, and that they would not toss it to and fro, as the mere cant of a party, to frighten mankind from pursuing what is right. The truth is, the friends to a parliamentary reform have the greatest reason to exclaim against innovations: all they want is the removal of them. By the common law, all freemen of England had a voice in the election of representatives, in the counties where they dwelt; what then may we ask, have been those statutes, which have excluded so many millions of freemen in successive ages, from the exercise of their undoubted rights? Infamous innovations. Parliaments, for many centuries, were annual, but their duration not being fixed by law, it was enacted in the reign of King William, that they should be triennial. It is the opinion of the late Sir John St. Aubin, that the act declaring the right of the  
people

people to triennial parliaments, stands a part of that original contract under which the constitution was settled at the Revolution : that his majesty's title to the crown is primarily derived from that contract, and that any deviations from it ought to be treated as so many injuries done to that title. What then is the septennial act? A most scandalous innovation on the letter and spirit of our constitution, which robs the people of their rights, and injures his majesty's title to the crown ; of consequence all those persons who oppose the repeal of the septennial act, notwithstanding their pretended affection to the king and constitution, are, in fact, the enemies of both.

There are many persons, who cannot but acknowledge the justice of what I have advanced, but are so impressed with the difficulties which may obstruct the accomplishment of the wished for plan, that they are willing matters should go on as they do at present, rather than join in an endeavour for an alteration. They are afraid of confusions and riots, and their heads are filled with alarms, which I will venture to say are groundless. I frankly confess, that an equal and a frequent representation is an

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object

object worth contending for, and that the people will be justified in any constitutional means they may use for the attainment of so desirable an object; yet it is their duty to make use of the most peaceable in their power. There is no occasion to act illegally, or unconstitutionally; every thing tending to excite commotions in the lower class of people ought to be avoided. A bad example may be set (as at Birmingham) by the enemies of reform; but let us be careful to prevent its being followed. There is a path that is easy to be pursued, but which requires honesty, prudence, activity, and zeal to proceed in it properly. The first thing which ought to be done is, to enlighten the people, and to awaken them to a proper sense of their present situation. There were associations formed during the American war for this purpose, but since the return of peace, and while God in his mercy has exempted us from those dreadful calamities which lately so heavily pressed upon us, those associations have dropped; whereas they ought to have been more extended, and more active. The society for constitutional information in London, is an honourable exception, and I am happy to hear



hear that there are societies of a similar nature, now forming in different parts of the kingdom. If these societies were to correspond, the one with the other ; were they to print and circulate small tracts, containing the first principles of our constitution ; its excellencies, and its abuses—shewing at the same time that we are indebted to the patriotick zeal of our ancestors for the former, and to the degeneracy of their descendants for the latter : endeavouring, above all, to enforce this important truth, that a considerable part of that load of taxes we labour under, a load which is annually increasing, is owing to the extravagance, and the profligacy of government ; and that the grand source and support of this extravagance and profligacy, is an unequal, septennial, representation :—Such facts as these would make the people, if they are not unworthy the name of Britons, and if they do not deserve to be slaves, think for themselves, and act with that spirit becoming their situation and character. Preparation thus being made, the next step would be to address parliament on the subject. I know what has been urged against such a measure : it has been said, that we cannot expect a corrupt

body to purify itself. But I cannot help thinking that the fear of provoking a great people, feeling their wrongs, and resolving to have them remedied, would operate as a very powerful motive, even on the present House of Commons. And were the people cordially to unite in an affair of so much importance, would that house dare to refuse an attention to their voice? If after repeated trials, this should be the case, the situation of this kingdom will be truly dreadful, and something ought then to be done by the people themselves.

But the difficulty of offering a specific plan, has been often stated, and I acknowledge with great justice; I hope no such plan will be agitated, at least till the House of Commons refuse to take the business at large, into their serious consideration. Although I have stated what I think would be great improvements in our representation, yet it is not for me to say, that they ought all to be insisted upon. There are two points which we should never lose sight of; those are, EQUALITY, and DURATION. While the right of election is engrossed by a few, interested persons,

persons, and the elected are chosen for seven years, it is in vain to think of any improvements whatever. We have already excellent laws against bribery, but every one knows how easily, and how openly they are evaded. The fault is in the general system, and that *must* be altered. Whenever any attempt shall be made to introduce this national concern in the House of Commons, I sincerely hope it will be by moving, "That a committee be appointed to enquire into the present state of the representation of the Commons of Great Britain in parliament." Such a motion was made (in 1784) by that tried and persevering friend of the people, Alderman Sawbridge. Would the House thus take up the business, the most desirable consequences might be hoped for. It is not in large, but in small bodies, the most important plans are formed. The plan of the present representation of France, was formed, in its grand outlines, in a committee of the National Assembly. If the House of Commons should reject the motion, it will be an acknowledgment, that our representation is too bad to be looked into; it will be a proof that our constitution is fast approaching



proaching to the period of its dissolution ; that period which has been foretold and deprecated by very eminent men in different centuries and countries, who have agreed that the ruin of the British nation, would be accomplished by the corruption of the legislative body. It was the well-known sentiment of that great statesman Lord Burleigh, treasurer to Queen Elizabeth, “ That “ England could never be ruined but by a “ parliament.” Sir Matthew Hale observed, “ This being the highest and greatest “ court in the kingdom ; if by any means a “ misgovernment should any way fall upon “ it, the subjects of this kingdom are left “ without a remedy.” The president Montesquieu, whose character Mr. Burke has justly panegyricized in the happiest strain of eloquence \*, predicts, “ That as Rome, “ Sparta, and Carthage have lost their liberty and perished, so the constitution of “ England will in time lose its liberty ; will “ perish. It will perish, whenever the legislative power shall become more corrupt than the executive †.”

\* Appeal, p. 115.

† Sir M. Hale on Parliaments, p. 49. Montesquieu’s Spirit of Laws, book. XI.

To prevent, therefore, the destruction of the constitution by a corrupt legislature, is surely the bounden duty of the British nation.

With respect to our statesmen, the leaders of different parties ; it is to be hoped, we shall not place any great dependence, on their mere professions. No man ever appeared to be a more hearty friend to the people, than Mr. Pitt. The utmost powers of his eloquence were once exerted against the encreasing influence of the crown, and in favour of a parliamentary reform. But what does the history of his administration afford ? A melancholy lesson of caution to the people, not to attach themselves to men, but in proportion as they give proof of the sincerity of their professions. No man ever acted more diametrically opposite to his own professed sentiments, than the present minister. He has increased the influence of the crown in so many ways, and in such a rapid manner, that it is in vain we look for a minister, in these respects, his equal. As to his once favourite measure, a reform of parliament, he has lately informed us, that such a measure may be necessary in future, but that it is not so at present ; and he would

fain persuade us, this is not the time for innovation\*. Surely there is hardly a man in the kingdom so weak, as not to understand the meaning of this ministerial language. Mr. P. is very well contented, that while parliament continues obedient, and he can maintain his situation, corruption should not be disturbed. But we may be sure of a return of his patriotism, as soon as he has lost his majority, and his place. But if, after his past conduct, there are any who consider him as the friend of the nation, all that we can reply is, *Si vult populus decipi, decipiatur!*

With respect to the leaders in opposition, I own I have, from their present conduct, but little hope. There are two or three individuals who appear to be real friends to the people. The Marquis of Landdowne will ever deserve the thanks of the public, for his invariable language respecting the great object we have been considering, and for proposing, when in administration, a variety of plans, for reducing the influence of the crown; which plans had the approbation of the present minister, who

\* See Mr. Pitt's Speech on Mr. Flood's motion, April 1790.



was then chancellor of the exchequer ; but since the advancement of the latter to the first place in administration they have never been heard of \*. The whole nation is likewise under peculiar obligations to Mr. Fox. When we consider the zeal with which he has stood forth, on all occasions, the champion of religious liberty ; when we attend to his heart-affecting eloquence on the subject of the slave-trade ; when we hear him with patriotick ardour, declaring

\* The Marquis of Landsdowne, during the last session of parliament, promised to bring forward, in the ensuing session, some of the plans referred to. It may not be improper to remind his Lordship, of that support which he may justly expect to receive from the public, in every exertion for their welfare. The city of London in particular, as appears by the following extract, stands pledged to support him in all his efforts for a parliamentary reform.

“ The noble and manly proof which your Lordship  
 “ has given of your decided concurrence in the undoubted  
 “ right of the people to short parliaments, and the necessity of a more equal representation, cannot but increase  
 “ our regard, esteem, and confidence ; and your Lordship,  
 “ in your farther prosecution of those great constitutional  
 “ objects, may depend on the most firm and determined  
 “ support from the city of London.” Extract of a Letter from the Common Council of the city of London, to the Earl of Shelburne, dated April 7, 1780.

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the French revolution to be one of the most glorious events which has ever taken place in the history of mankind ; when we reflect on that open, and unequivocal language, which he has always used on the subject of a parliamentary reform :—Every friend to his country, and to mankind, is justified, in most ardently wishing that a statesman possessing such sentiments, might be placed, not only at the head of the administration of Great Britain, but if it were possible, at the head of every administration in the universe. But was Mr. Fox immediately called to a seat in the cabinet, it would be of serious moment, how is he to be supported there ; who are his friends ? What is that party, called the Whig Club, composed of ? Do its members possess the same sentiments as Mr. Fox ? If they do, why have they not supported him, by openly professing their sentiments in the same courageous manner ? Why have they stood aloof from the friends to the French revolution, on almost every occasion ? Why do they not come forward as a body, and declare their principles by some publick resolutions ? It is not their dining together, and calling themselves Whigs, that will interest,  
in

in the least the publick in their favour. If they wish to be distinguished as true patriots, let them declare their principles, and act in unison with those who are not mere party men, and who have no interested views to gratify. If all their aim is to get into place, and to continue the old system, the present ministers may as well remain where they are. Whenever Mr. Fox may be in office, I sincerely hope he will be cordially supported by the people ; it is to them he must look ; it is their welfare he must endeavour to promote. It will, however, be using him very ungratefully, if he should not meet with the most powerful popular assistance. Were he to be in office without that assistance, his political virtue would be put to a test, which we have hardly a right to expect it should bear. He must either relinquish his place, or his principles.

The present minister came into office on popular ground : The crown and the people united in supporting him. But he had too low an opinion of the latter to depend upon them. He has, therefore forsaken the best part of the ground he originally stood upon, and has preferred  
what



what he apprehends is more solid. Let us apologize for human nature, degraded as it is, in the person of this apostate patriot. He perhaps saw he could not preserve his place, without deserting the principles he had professed ; the latter therefore yielded ; the old system was continued, and has been most unceasingly persevered in : how long the people will bear to be insulted by corruption and hypocrisy united, I cannot pretend to determine ; but I will venture to affirm, that if they do not declare, in some extraordinary manner, their disapprobation of the general system, it will signify very little who is in administration, or who is in opposition ; for virtuous individuals will not be able to remain in the former, and virtuous efforts will be of little avail in the latter. Let us then, MY DEAR COUNTRYMEN, take example from France ; let all party-interests be buried ; let us look to principles, more than to men ; let us act with union, prudence, spirit, and fortitude, and we need not despair. An equal, and a frequent representation, appeared a much more difficult work in France, previous to the revolution, than it now appears in Britain. If we are not wanting to ourselves,

selfes, it may shortly be accomplished; and whether we ought not individually, and collectively, to forward it to the utmost of our power, I chearfully leave to the determination of every true Briton, and real patriot; to the determination of every man who has a regard for THE POLITICAL, THE MORAL, OR THE RELIGIOUS INTERESTS OF HIS COUNTRY.

THE SECOND BRANCH of the French Constitution is THE KING. “ The executive power is delegated to the king, to be exercised under his authority, by ministers and other responsible agents\*.” The king is declared the representative of the people, entrusted with the supreme executive power, for their benefit. The royalty is delegated, hereditarily, to the race on the throne. The person of the king is sacred and inviolable. He reigns by the law, and it is in the name of the law he requires obedience†. The principles on which monarchy is settled in France, are similar to those on which it is settled in Great Bri-

\* Constitution, p. 29.

† Ibid. p. 42.

tain. Our king is the hereditary representative of his people ; he reigns in virtue of the law ; the supreme power is delegated to him, as the guardian, and as the executor of the law. As there is no friend to the British constitution, but what is a friend to these principles, it is unnecessary to enlarge upon them. All I shall request of the reader, on this part of the subject, is, that he would refer to those chapters in the French constitution, which treat of the king, and of his prerogatives: they afford a full and complete refutation of the slander that has been cast by the enemies of the revolution in general, and by Mr. Burke in particular, upon the National Assembly ; and which has accused that body of having destroyed the monarchy. So far from this being the case, they have fixed it on the only legitimate and solid foundation, on which it ever can be fixed ; the declared choice of the people.

When it is further considered, that the King of the French has an income, amounting to upwards of thirteen hundred thousand pounds sterling, a sum mentioned by his majesty as fully sufficient, and which was unanimously granted ; that eight palaces  
are



are allotted for the royal residence, most of which are superiour to any a British monarch can boast; it is hoped we shall no more hear those lamentable howls, on account of the king's degraded situation, which are more calculated to produce smiles, than sighs. For myself, I am persuaded, that the French monarch will enjoy, in the legal exercise of his authority, and in the faithful discharge of the duties of his office, more solid glory, and substantial happiness, than his predecessors, or than most, if not all the sovereigns of Europe. He is no longer surrounded by a nation of slaves, but a nation of friends. He is no longer tormented by an insolent aristocracy, or a domineering clergy. He is united to his people by the closest ties, and his felicity is inseparably connected with theirs. Would the tyrants of the world, who are now trembling on their thrones, enjoy similar security and felicity, let them, before they are compelled, restore to their subjects those rights, of which they have so long deprived them. Let them imitate the God-like example of the King of Poland, who has been the principal agent in bringing about a peaceable, and a happy revolution, in his  
own

own kingdom. To his majesty's immortal honour, let it be universally published, that he enlightened his people by translating and disseminating amongst them the French declaration of rights ; that he expressed his cordial approbation of the French revolution, and returned his thanks to the principal actors in it ; that he followed their example as far as was possible, in his own dominions, at the same time lamenting his not being able to follow it more perfectly. Here is a model for the sovereigns of the universe ; have they a desire to enjoy similar glory with that of the Polish monarch ; to reign in the hearts of their subjects, and to be immortalized in history as the friends of mankind ; let them Go AND DO LIKEWISE !

## CHAPTER THE THIRD.

*Remarks on the Nature and Design of Christianity—  
 On Civil Establishments of Religion—The Right  
 of the National Assembly to reform the Church of  
 France considered—The Resumption of the Eccle-  
 siastical Possessions vindicated on the Principles of  
 Political and Religious Justice—General Reforms  
 in the French Church—Monastic Orders suppressed  
 —Authority of the Pope annihilated—Religious  
 Vows absolved—Particular Reforms in the French  
 Church considered, and urged as necessary in the  
 Church of England—Choice of ministers restored to  
 the People—Mode by which the Clergy are provid-  
 ed for—Tithes abolished—Just Distribution of the  
 Property appropriated for the Support of the Church  
 —Laws to enforce the Residence of the Clergy—  
 Terms of Admission into the Church---Fatal Effects  
 of Ecclesiastical Subscription in the Church of Eng-  
 land enlarged upon---General Prevarication of the  
 Clergy---Injustice and Folly of the Act of Uniformity  
 ---Absolute Necessity of a Reformation enforced  
 from the melancholy State of our Religion and  
 Morals as represented by the Clergy.*

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**W**HEN we take a view of the vari-  
 ous governments which have pre-  
 vailed in the world, we shall find, however  
 R they



they may have differed in their nature, or professed design, they have all united in the support of some religion, or system of faith and mode of worship; and that it has been the universal practice of the ruling powers, to take upon themselves the regulation not only of the civil, but the religious interests of mankind. And it must be acknowledged that such have been the systems and modes, professed and followed by mankind in general, in all ages of the world, that the support of the civil magistrate has been absolutely necessary; as otherwise they would speedily have lost all their credit, and have ended in ruin. Paganism would not have so long deluded the world, had it not been powerfully supported by the arm of secular authority. Mahometanism was propagated by the sword, and its progress was marked with blood. Its grand support ever has been, and still is, worldly authority; and when that support shall be withdrawn, it will speedily be involved in the same ruin, which overtakes, sooner or later, every false religion. It is unnecessary to extend our observations on this part of the subject: what has been advanced may be considered

considered as an apology for mankind. They have been conscious that what they called religion, could never stand on its own foundation, and therefore that it must have an additional one to preserve it from falling, and to make it answer the end proposed.

As I am writing in a country which has long distinguished itself by the name of Christian; as Christianity is the professed religion of the greater part of Europe; as the system is acknowledged to be of the last importance; and as its interests are materially affected by the recent revolution in France; I hope I shall be excused if I briefly consider its original nature and design, and the means which its professors are authorized to use, for its support and propagation amongst mankind. In doing this, I think it absolutely necessary to pursue a similar method to that I adopted in the first chapter of this work. As when enquiring concerning the rights of men in society, instead of referring to modern systems of government, in which those rights are generally lost or obscured, we endeavoured to trace them to their primary source; so in our enquiries concerning Christianity we shall

not refer to the various religious establishments which have long prevailed. One principal reason why infidelity maintains its ground is, because men content themselves with a superficial observation of Christianity as it commonly appears in the world. But if we are honest and impartial in our enquiries, we must draw our evidence from that book, from which all Christians, however divided in other respects, profess to derive their information, and must regard the authority of him, whom all consistent Christians agree is the only infallible judge ; the great founder of the Christian religion, JESUS CHRIST.

With respect to the Christian system, as taught by our Saviour, and as handed down to us in the New Testament, we may remark, that it is purely spiritual. Whoever impartially, and without prejudice, examines its origin, its design, its maxims, its arms, and its rewards, will soon be convinced that from first to last, it is not of a worldly nature, and that it was never designed to assist mankind in the attainment of those objects, which the majority, in all ages of the world, have been in the pursuit of ; but that on the contrary, its grand design



sign is to enlighten the understandings, and purify the passions of men ; and turn their attention to those objects which are not of a temporary, but of an eternal duration.

Our Saviour, when he was suspected of entertaining the same designs, which have been entertained by interested fanatics in all ages, of setting himself at the head of a party to promote his temporal interest : when he was charged with claiming the title of king of the Jews, gives the following account of the nature of his kingdom, and of the design of his mission. “ My kingdom “ is not of this world : if my kingdom was “ of this world, then would my servants “ fight, but now is my kingdom not from “ hence. For this cause came I into the “ world, that I should bear witness to the “ truth. Every one that is of the truth, “ heareth my voice\*.” This declaration was made by our Lord towards the close of his life ; when he was on trial, just previous to his crucifixion. It may be considered as a solemn confirmation of the sen-

\* John, chapter XIX. verse 36. 37.

timents in which he had so often instructed his disciples. An attention to a few of those sentiments will be sufficient for our present purpose.

Some of the disciples, as it appears, fondly imagined that a profession of Christianity would prove advantageous to their temporal concerns, and they discovered at times, some anxiety to secure for themselves those distinguished posts of honour, to which their profession might entitle them. Our Saviour, however, totally disappointed these expectations. He told them, very plainly, that they had nothing to expect of a worldly nature, from a profession of Christianity, and absolutely forbid them to exercise, as Christians, any secular authority whatever. “ Ye know that the princes of  
“ this world exercise dominion, and they that  
“ are great exercise authority. But it shall  
“ not be so among you ; but whosoever will  
“ be great among you, let him be your mi-  
“ nister: and whosoever will be chief among  
“ you, let him be your servant\*.” Although he encouraged them to proceed with the most undaunted fortitude in the propagation of the truth, and promised them his

\* Matthew, chapter XX. verses 25—27.

gracious presence and assistance, he not only prohibited them from using the sword, but even from assuming any of those titles by which the heads of sects have distinguished themselves. “ The Scribes and the Pharisees—Love to be called of men Rabbi ; but be not ye called Rabbi, for one is your master, even Christ, and all ye are brethren. And call no man your father upon the earth, for one is your Father which is in heaven: Neither be ye called masters, for one is your master, even Christ. But he that is greatest among you shall be your servant. And whosoever shall exalt himself shall be abased, and he that shall humble himself shall be exalted \*.”

\* Matthew, chapter xxiii. verses 7—12. *Call not any one your father.* The Pharisees, no doubt, had this title given them ; and Bishop Wilkins observes, “ That it is a title, WHICH ASSUMING PRIESTS OF ALL RELIGIONS HAVE GREATLY AFFECTED.”

*One is your master, even Christ.* “ It is remarkable that this occurs twice in the very same words (ver. 8 and 10) Our Lord knew how requisite it would be FOR US to attend to it, and how ready EVEN HIS MINISTERS would be to forget it.”

Doddridge’s Family Expofitor, vol. II. p. 369. 4to. edit.



It is much to be wished, that whenever we read this account of Christianity, we would endeavour to divest ourselves, as much as possible, of those various prejudices to which we are all, more or less, subject, and ask ourselves a few plain questions. If the kingdom of Christ is not of this world ; if his servants are forbidden the use of the sword in the propagation of Christianity ; if they are charged not to exercise any temporal dominion over each other ; if they are prohibited from being called masters, or fathers in a spiritual sense ; or from giving these titles to their fellow Christians ; if the only honour in the Christian church is to be derived from humility ; what ought we to think of all those church establishments which have been supported by human authority, guarded by penal sanctions, the members of which have claimed the highest offices and titles, have forcibly deprived mankind of their liberties and properties, and have held the sword in their hand, as the principal means of preserving their wealth, their pomp, their titles, their authority, their CHRISTIANITY? The plain and explicit language of sacred writ authorises us to assert, that all those establishments

ments

ments are absolutely contrary to the nature and design of Christianity, and that of consequence it is the duty of all true Christians to bear their protest against them. IT SHALL NOT BE SO AMONG YOU, says our Saviour. Every church establishment founded on human authority, gives OUR LORD the LIE DIRECT, and insolently returns for answer, IT SHALL BE SO AMONG US! To the disgrace of the Christian world, all sects and parties of Christians, as they have been in possession of civil power, have used it to advance their spiritual power; and have in a greater or less degree, cast off the authority of their common Lord and Master, whom they professed to serve. The Catholick church of Rome—The Episcopal churches of England and Ireland—The Presbyterian churches of Scotland, Holland, Switzerland, or elsewhere, must all plead guilty. Their supporters, whether Popes, or Cardinals, or Emperors, or Kings, or Bishops, or Parliaments, or Councils, or Convocations, or General Assemblies, are all of a greater or less magnitude, pillars of Antichrist; and must all one day be thrown down and levelled in the dust, never to rise any more.

As

As Christianity encreases, they must necessarily decrease \*.

If any thing is wanting to strike conviction in our minds, let us go from Scripture to history, and there we shall see displayed in the most glaring and horrid colours, the folly, and the wickedness of civil religious establishments. Previous to their formation, during the three first centuries of the Christian æra, Christianity flourished, glo-

\* As this is a subject which few persons have examined, although it is of considerable importance, I beg leave to refer those, who, like myself, read but little, to one or two performances, which I think sufficiently destroy the arguments brought by the advocates for civil religious establishments. I might here mention Dr. Priestley's masterly Letters to Mr. Burke (3d edition) which are the more to be admired, as the authour has not followed his too common practice of foisting in his own peculiar religious tenets, on subjects of universal concern. But as I mean to avoid almost entirely, throughout this chapter, the use of dissenting evidence, I wish more particularly to recommend, bishop Hoadly's famous Sermon on "The Nature of Christ's Kingdom," and Mr. Locke's "Letters on Toleration." The former, which was preached at court, had the marked approbation of that wise and excellent monarch GEORGE THE FIRST. In Mr. Locke's Letters the reader will find it demonstrated (if there is such a thing as demonstration on this subject) *that all civil religious establishments are absolutely unlawful.*

riously



riously flourished, not only without the support of the civil power, but absolutely in spite of all the methods that power made use of to prevent it. Ever since Christianity was established, it has declined. The plant is of heavenly origin, and any attempt to force it, will only hinder its growth. It is entirely owing to such unhallowed attempts, that it now appears in a sickly, declining, drooping state. What is the history of religious establishments? It is for the most part a record of the ambition, the cruelty, the folly, the villainy of men assuming the character of Christian ministers, styling themselves servants of the church\*. These servants of the church have robbed sovereigns of their crowns and scepters, kingdoms of their properties and liberties, and devastation and blood have marked their footsteps. Let us draw a veil over the whole ; and be thankful to Providence for the reformation of the sixteenth century in Britain, and for the more complete reformation of the eighteenth century in France. Let us ardently pray, that the pe-

\* Qui legit historiam ecclesiasticam, quid legit nisi vitia Episcoporum? GROTIUS.

riod may speedily arrive, when Antichrist shall be totally destroyed, and “all the “kingdoms of this world,” shall by the spiritual, and victorious power of the gospel alone, “become the kingdoms of our “Lord, and of his Christ.”

With respect to the reformation of the church, which has recently taken place in France, although no one can be a greater admirer of it than myself, I confess it falls short of that perfection which may one day be hoped for. The reformation of the church will only be complete, when Christianity is left exactly on that footing, on which it stood in the primitive ages. When its professors cease to support it from motives of worldly interest, many will be induced to examine, who now consider it as a mere system of priestcraft. Fair inquiry, and impartial examination, are all that true religion pleads for. The various bands of mercenary forces which surround her, only serve to hinder her progress. When they are discharged, she will advance by virtue of her own divine energy; her conquest will be uninterrupted, her victory will be complete, and her triumph will be glorious!

Whilst

Whilst I thus freely express my sentiments concerning civil establishments of religion, and unreservedly declare my enmity to them *in toto*; yet in order to prevent any improper inferences being drawn from what I have advanced, I think it necessary to add, that as men are at present situated, it would be improper to attempt by force, to overthrow any of those establishments. The major part of mankind are yet in ignorance; and if that ignorance is more to be lamented in one respect than another, it is in that which relates to the nature and design of true religion. Men have everywhere been taught by priests, that some NATIONAL religion is essential; it is to the religion already established, that the majority in <sup>almost</sup> every country are attached. The principal duty of the friends to truth is, to open the eyes of the people, and to persuade them, if possible, to examine, and judge for themselves: to lay before them such evidence, such indisputable facts, as may convince them how miserably they have been deluded. In proportion as they become enlightened, they will become reformed. Under a free government, where the legislative body is fairly elected by the people,



ple, the latter will naturally fix their choice on persons to represent them, whose general sentiments on religion, as well as on other subjects, are similar to their own. Reformation will thus advance of course, and all violent measures will be avoided. Men who understand the principles of Christianity, will ever remember, that the "weapons of their warfare are not carnal;" that they have no occasion for such instruments as persecuting, or penal laws, or ignorant and riotous mobs. Should measures be adopted that may tend to remove any of those innovations which infest the church, and should they be openly opposed, all the confusions which may ensue, will be chargeable on the supporters of such innovations; and should they ever dare to make use of violence, it will be the duty of the civil magistrate to interfere, and to enforce the sanction of the legislature. But as long as people think religious establishments necessary, and will remain content to pay for them, let them enjoy such *precious* institutions. Reformation should only be carried on, as the majority of the people will bear it.

On these general principles the reformers of Great Britain, two centuries since, and the

the present reformers in France appear to have proceeded. The first went as far as they could in their day ; they died in the hope that their successors would have completed the unfinished work. Far from entering into their great and noble views, we have long lost sight of their very first principles. The church of England is, at the present period less reformed, in some respects, than when it first emerged from the thick darkness of popery\*. We boast of the enlightened age in which we live, but have not recent events fully proved, that our eyes are too weak to bear any thing but twilight ? The stronger rays which have been let into the eyes of a neighbouring nation, have dreadfully alarmed many among us. Fearful of the light, and feeling pain on its approach, they have, like owls when the sun rises, set up a horrible screeching.

Happily for the general cause of truth, the minds of the majority of the French were prepared for that great event, which has recently taken place. The National Assembly embraced and improved the happy

\* If the reader should doubt this assertion, I must request him to suspend his judgment, till he has finished this chapter.

moment. The church of France is now so far reformed, that it rivals all the other churches of Europe: not in splendour and riches, but what is infinitely better, in its conformity to the church in the earlier ages of Christianity.

As the fundamental principles on which the Assembly have proceeded to reform the church have been most severely reprobated; I shall, before I enter into the particulars of that reform, attempt a general vindication of their conduct. It is a matter of great importance, the very right of the Assembly having been disputed. If, however, the legislative power, has not an absolute authority over the established church, we may, in every country, bid farewell to all hopes of reformation for the future.

With respect to church establishments in general, I beg leave to lay it down as a fundamental axiom—That the legislative body *only*, in all countries have the right to form, model, or new model the National church. The law in this respect, as well as every other, ought to be “The expression of the general will.” If the people choose to have an established church, nobody can dispute



dispute their right to one. Their sentiments may be wrong, and we ought to endeavour to rectify them. If the body of the people are resolved to commit their spiritual concerns to the management of their lawgivers, it is the right and the duty of the latter to provide for their wants, agreeable to their wishes \*.

The instruction and improvement of the people in religious knowledge and virtue, are the ends which ought constantly to be held in view. As the design of religion, more especially of christianity, is to prevent the spread of corruption, and to renovate mankind, whenever men are entrusted with the formation or the preservation of a religious establishment, the same grand de-

\* In thus allowing the *expediency* of civil establishments of religion, I wish not to be misunderstood. There are I conceive, only two cases, in which legislative authority ought to be admitted. The one is in the reformation of establishments already existing; and the other in the formation of a new establishment, when a community expressly desires it. In the latter case, this establishment ought not to be supported in any degree whatever, by those who dissent from it. Its ministers ought not to be paid out of the common national stock, but solely by those who are its professed members. If any one should ask, How long could such an establishment exist? I answer, Just as long as that, or any other *ought* to exist.

sign ought to be pursued. Religion should never be turned into an engine of state, or perverted into a system of corruption. What may best tend to promote instruction and improvement, without any regard to the secular interest of any individuals, is all that an upright legislature will attend to. This observation will hold good in every country under heaven; and it is upon this ground only, that any religious establishment can be vindicated. It is this plain and simple idea which we should take care always to preserve in our minds, as it may preserve us from some very dangerous sentiments which are now inculcated, with great industry, in this country. I am happy however to remark, that some of our most moderate churchmen, have considered this matter in the same light as I have endeavoured to place it. The sentiments of Archdeacon Paley on this subject, so well illustrate what I have advanced, that I cannot but present them to my readers. “ A  
 “ religious establishment (says this writer)  
 “ *is no part of christianity, it is only the means*  
 “ *of inculcating it.* The authority therefore of  
 “ a church establishment, is founded in its  
 “ utility: and whenever upon this principle  
 “ we

“ we deliberate concerning the form, pro-  
 “ priety, or comparative excellency of dif-  
 “ ferent establishments, the single view un-  
 “ der which we ought to consider any of  
 “ them, is that of a scheme of instruction ;  
 “ the single end we ought to propose by  
 “ them is, the preservation and communi-  
 “ cation of religious knowledge. Every  
 “ other idea, and every other end that have  
 “ been mixed with this, as the making of  
 “ the church an *engine* or even an *ally* of the  
 “ state; converting it into the means of  
 “ strengthening or diffusing influence, or  
 “ regarding it as a support of regal in op-  
 “ position to popular forms of government,  
 “ have served only to debase the institution,  
 “ and to introduce into it numerous cor-  
 “ ruptions and abuses\*.”

Agreeable to these sentiments, the Na-  
 tional Assembly, when they were forming  
 a civil constitution for the people, very na-  
 turally turned their attention towards an  
 ecclesiastical constitution ; or in other words  
 a constitution “ for the preservation and  
 “ communication of religious knowledge.”  
 They very wisely and truly judged, that the  
 old establishment was so far from answering

\* Moral and Political Philosophy. Vol. II. p. 304. 306.



these important ends, that it produced the direct contrary: that it had been the principal means of preventing the spread of knowledge, and of keeping the people in ignorance and vice.

But our high churchmen in England are alarmed at the very idea of reformation; they therefore join with the aristocrats of France, in attacking the right of the National Assembly, even to touch the church; and lest the good people of this country should begin to think a reformation of their own church necessary, they assert, that the church, as by law established, is an *independent* community; that this *independent* community has formed an alliance with the state, or with the civil magistrate; that they are inseparably united, and are under mutual engagements to assist each other; that any attack on the one, is to be considered as an attack on the other: and to so high a pitch has this doctrine been screwed up, that a modern prelate has had the assurance to assert, that any attempt to procure even the repeal of penal laws, which he apprehends are necessary to the security of the church, is an attempt to overturn the constitution, civil and ecclesiastical, and plainly hints to  
his

his SOVEREIGN, that he has no right to assent to such a repeal, as in such case he would break his coronation oath\*. From such language, the people of this country may learn what they have to expect, should they ever think it necessary to demand a reformation of the church: according to this doctrine, neither King Lords and Commons united, have the right to meddle with it. The church claims a sovereign independent authority, and all the legislative power in the kingdom has no right to dictate, or to make laws for its better regulation. It is however to be hoped, that the people of this country are not so deplorably priest-ridden, as to give credit, or pay any attention to such sentiments—sentiments which I will be bold to say, are as false as they are unconstitutional.

I beg leave to ask our high church fanatics, what church is it, that is inseparably connected with the state? If I ask this question in England, I shall undoubtedly be told, the Episcopal Church; if I cross the Tweed, I shall then be answered the Presbyterian Church; if I sail over the Atlantic

\* See Bishop Horfley's Review of the Case of the Protestant Dissenters. p. 56.

and put the question to the Canadians, I shall be told the Catholic Church\*. The legislature has thought proper at different periods to form these respective establishments, and the same legislature may alter and reform them, as it may judge most suitable to the wants and wishes of the inhabitants of the different countries. The British constitution, and the constant practice of our ancestors proclaim aloud, that the church so far from being the ally, is nothing more than the mere creature of the state, to be disposed of at pleasure; and that the bishops and clergy are like other servants of the state, employed and paid as it may direct, and are equally responsible for their conduct. The late Lord Chesterfield very

\* Is the church of Ireland, as at present established, necessarily connected with the state?—I hope not. Nothing can be more unjust, than that a church should be established, and endowed with rich bishoprics (in general richer than those in England) and yet the members of that church not compose a *fifth* part of the nation.—As this perhaps is the only place in which I shall have occasion to allude to our sister kingdom, I will express my hopes, that as the Irish are as much concerned in the great objects of a parliamentary, and a church reform as we are, they will exert themselves with their usual prudence and fortitude. They have only to act as they did a few years back, and their grievances will soon be redressed.

justly



justly observes, “ That the clergy in *every*  
 “ *country are like all other subjects*, dependant  
 “ upon the supreme legislative power ; and  
 “ are appointed by that power, under what-  
 “ ever restrictions and limitations it pleases,  
 “ to keep up decency and decorum in the  
 “ church, *just as constables are to keep peace in*  
 “ *the parish*\*.”

The independency of the church, and its being an ally to the state, is not I confess, a novel doctrine. It has been the favourite doctrine of high churchmen in all ages. But the state has often taken the liberty of contradicting it, and thankful ought we to be that it has done so. If it had not, we should in all probability, have been immersed in popish darkness and superstition ; for it is a well known fact, that the most important reforms in Great Britain have been effected by the state, in opposition to the church. In the reign of king Edward the Sixth, the majority of the bishops and inferior clergy were on the side of popery, and it was the parliament alone, without the clergy, which established what is called the reformed liturgy. At the accession of queen

\* Lord Chesterfield's Letters. Vol. IV. p. 75.

Elizabeth, when the reformation was resumed, the universities were so entirely attached to the old system, that there were scarce two of the same opinion with the reformers. As to the bishops and clergy (says bishop Cox) *they were unanimous for popery, firm as a rock.* These examples are only a few selected from a great variety: they are sufficient for the purpose, to shew that the church has no claim to the proud title of an ally to the state, but is entirely subject to it. High churchmen themselves are sometimes forced to confess the mortifying truth. Dr. Warburton, after all he has written on "The alliance between church and state," frankly owns, "That the church hath resigned her independency, and made the magistrate her supreme head; without whose approbation and allowance she can direct, order, and decree nothing, and that the clergy are now under the magistrate's direction\*." In short, our legislature can do any thing with the church, in whatever part of the British dominions it may be situated. Prudence may dictate measures according to circumstances, but the right to

\* Warburton's Alliance. p. 74. 87.

pursue whatever measures may be thought  
 eligible, is firm and unalterable. Judge  
 Blackstone, notwithstanding his well known  
 attachment to the establishment, asserts,  
 " That an act of parliament to repeal or to  
 " alter the act of uniformity in England, or  
 " to establish episcopacy in Scotland, would  
 " doubtless, in point of authority, be suffi-  
 " ciently valid, and notwithstanding such an  
 " act, the union would continue unbro-  
 " ken\*." When the bishop of St. Davids  
 reminds us " That to maintain and preserve  
 " inviolably the settlement of the church of  
 " England, is a part of the coronation  
 " oath;" it is proper to remind him in re-  
 turn, that this engagement of the sovereign  
 is nothing more, than to maintain and pre-  
 serve the laws which relate to the church, in  
 the same manner as the laws of any other  
 community : and this oath is absolutely ne-  
 cessary. Arbitrary princes have generally  
 found bishops and clergymen to flatter and  
 to persuade them that they were above the  
 law; and it would be easy to refer to certain  
 periods in our history, when the constitu-  
 tion, by the machinations of the court and  
 the church, was in danger of being over-

† Commentaries. Vol. I. p. 98. note.



turned ; and the Protestant establishment altered to a popish one, merely by a stretch of royal prerogative. It was therefore perfectly right in our ancestors to declare that the church should be governed in the same manner as any other corporate body, BY LAW ; The laws therefore relative to the clergy are like our other laws ; they may be continued or repealed, as the legislature may see fit.

Episcopacy was in the last century abolished by act of parliament in Scotland, agreeable to the wishes of the North Britons ; and should the South Britons ever request a similar favour, the legislature have an undoubted right to grant it ; and were our gracious sovereign to assent to such a measure, he would have an equal right so to do, as to assent to the repeal of any of our civil laws. Let not churchmen be alarmed at such a supposition. State episcopacy will probably last *their* time, though I am inclined to think it will not last much beyond it.

I have dwelt the longer on this subject, as it is of peculiar importance to us Britons. The doctrine of the independency of the national church would tend to establish

blish an *imperium in imperio*, to overturn the supremacy of the British legislature, and would prove a most effectual bar to any reform *in* the church, or to any extension of religious liberty *out* of it. Happy for us, that it is both false and unconstitutional.

The clergy of the church of France appear till the late revolution, to have had high ideas of their superiority to the rest of their fellow subjects, and of their independence of the civil magistrate. In the last reign, there were some whispers abroad of an enquiry into the value of the church possessions, and the clergy had a hint from the king on the subject. In their answer, they asserted their independence, and trusted that his majesty “ would not insist on their  
 “ rendering any account of their possessions  
 “ because that would be to level them to  
 “ the condition of his other subjects\*.” They have been since taught to think of themselves more soberly. The National Assembly have pretty well brought down their proud stomachs, and it is to be hoped

\* The reverend body on this occasion, like their brethren in all ages, while asserting their own independence, were preaching up the most submissive and abject dependence of the laity.

they have now just sentiments of their situation and of their duty. This is their only way to be really respected. Ecclesiastics, when they move in their proper sphere, and are attentive to their proper calling, may be useful to society, and in thus humbling themselves, they will certainly be exalted. The French church will in future answer its end of being serviceable in communicating religious knowledge and instruction to the people, and by this means will be justly esteemed and honoured.

With respect to the new establishment ; the constitution says but little on the subject, and for this obvious reason ; The National Assembly consider the church in a similar point of view with that of any other public body, which may be regulated at all times by the legislative assemblies. The constitutional articles declare the absolute dependence of the church on the state, and are designed to prevent its again usurping the power it was lately in possession of. Those articles I shall now discuss ; I shall then point out the legislative decrees, by which the church is at present regulated. I shall compare the situation of the church of England, with that of the church  
of



of France, and from the comparifon, my readers will be able to determine, whether in ecclefiastical, as well as in political concerns, the French have not fet us an example which we fhould do well to follow.

The principal articles which we find in the constitution, refpecting the church, are thofe which relate to the property, by which it has been hitherto fupported, and to that property by which it is to be fupported in future.

“ Property, deftined to the expence of  
 “ worfhip, and to all fervices of public  
 “ utility, belongs to the nation, and fhall  
 “ at all times be at its difpofal. The Sa-  
 “ laries of the minifters of the Catholic re-  
 “ ligion, who are paid, preferved, elected,  
 “ or named in virtue of the decrees of the  
 “ National Conftituent Affembly, form a  
 “ part of the national debt \*.”

To thofe whose minds are not tainted with prejudice, little need be faid to prove the

\* Constitution, p. 24, 88. The legislative decrees have exprefsly guarded againft the invafion of the property belonging to the Proteftant, or any other religious communities, which difsent from the eftablifhed church. As they have nothing to do with the religious eftablifhment, that eftablifhment has nothing to do with them.

justice of the National Assembly on this occasion. If the legislative power of any country forms a church establishment; if the ministers of that establishment are paid like other servants of the public; it follows of course, that the same legislative power has the absolute right to all the public property by which the church is at any time maintained. As this has been disputed, and as the assembly have been much reviled for thus declaring all church property the property of the nation, it may not be amiss if we enquire a little into the nature of ecclesiastical possessions; which enquiry may, perhaps, enable us properly to understand the subject.

With regard to the property of the church of France, or any other established church, it may be divided into two classes; The first comprizes that part which is immediately paid by the public; such as tithes, lands, or estates of any kind, appropriated by the supreme power for the maintenance of the said establishment. As to all this species of property, surely no one can dispute that the same power which gave, has a right to resume it. The clergy in all countries, have done, it is to be hoped, with

with the nonsense of *Jus Divinum*, and that they are too wise to talk of inherent right, or to claim any public property, without the exprefs and declared permission of the government they are under. All property granted by the supreme power, for the support of any public body of men, may be regulated, or resumed, just as circumstances render eligible, and no one can with justice complain. All religious establishments are supposed to be formed and continued for the benefit of the people; and that power which has a right to form them, has the right in all respects to regulate them, so that they may best answer the grand end proposed.

The other species of property by which the church has been supported is; gifts or grants from individuals, either in their lifetime, or by bequest after their death. I shall not here enquire (although it may be worth the enquiry) how this property has been in different ages, and countries, acquired. Every body knows what an *admirable* contrivance the religion of Rome has been for picking of pockets, and for gulling people out of their estates, to the great loss of their families and relatives.

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Had it not been for our statute of *mortmain*, it was thought the clergy would have shortly been in possession, of the greater part of the landed property in the kingdom. Whatever methods were made use of to compel men to part with their substance, I will venture to maintain that this species of property from the moment it was acquired by the church, was public property to all intents and purposes, and that it mingled with the general mass appropriated to one and the same end. It must therefore be considered in the same light as any other kind of public property. We had lately a worthy, public-spirited man, who left five hundred pounds to the sinking fund, to be consolidated with it, and applied to the same purposes. This sum must now take its fate with that fund in whatever manner it may be applied. Every man who leaves his money to the public, to the church or state, leaves it to the disposal of the supreme power; who, it is supposed, will make the best use of it, for the good of the community. An appeal to the history of our own church, will afford us ample evidence of the justice of the late ecclesiastical proceedings in France; and the conduct

conduct of our clergy, from the reformation down to the present day, however it may contradict their language, proves that they habitually consent to the sentiments we have advanced.

It is unnecessary to revert to the distinctions I have pointed out in ecclesiastical property ; let me ask a few questions respecting the whole. Has not the Protestant church of England, for upwards of two centuries past, held in possession property, the greater part of which was expressly designed for the maintenance of a popish church ? This is such a serious matter, that it surely must strike home to the bosoms, more particularly of our dignified clergy. How is it possible that the mitres of our prelates should sit easy on their most reverend, and right reverend heads, or the different orders of the clergy should, with such scrupulous consciences as they are well known to possess, enjoy their various preferments, unless it is upon these general principles, that the state has the undoubted right to regulate, change, alter, or model the church ; and to apply its property as in its wisdom it may see fit ? If this is not admitted, an inference, which

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some men would do well to consider, is unavoidable: Our clergy, one and all, from the Archbishop of Canterbury through the different ranks, are spiritual usurpers, in possession of property originally designed for other persons, and for different purposes.

The arguments of the enemies of the National Assembly, are as partial and inconsistent, as they are erroneous. Mr. Burke, I believe goes farther than any Protestant (if he is one) in vindicating the old Popish establishment, and in reprobating the resumption of its property. But after all he has said, it is easy to perceive he has not perfectly learnt his lesson. Why has he not said a word against the seizure of the property, the suppression of the order, and the expulsion of the persons of his *old friends* the JESUITS; a measure promoted by the church of France, as well as other Catholic churches? What has the bishop of Rome, (poor man) done to offend Mr. B.? On the contrary, has not his holiness shewn the same malice, though he has not used the same abusive language, against the assembly as that gentleman? Do not their hearts beat in perfect unison? Have not the French legislators "sacrilegiously robbed and plundered"



dered" the head of the church of upwards of three hundred thousand pounds sterling, which he annually received from the people? Have they not stripped him of all his authority? If Mr. B. is consistent, he will supply former omissions, and shortly appear as the champion of the Pope, and the Jesuits, as well as of the old Popish clergy.

Truth is valuable from whatever quarter it may come; and justice ought to be done even to those who have no scruple in acting unjustly towards their fellow-creatures. We hope the clergy in all countries, are getting rid of those unjust sentiments by which they have usually been actuated. But may it not be asked; has there ever, since the creation, been a body of men who have lost all distinctions of right and wrong, not only with regard to the property, but to the liberties and the lives of men, like the clergy in almost every age? The massacre of Paris; the revocation of the edict of Nantz; the perpetual persecution of the Protestants in France—the sufferings of the Puritans in England, in the reigns of Elizabeth, James, and Charles the first, and of the Non-conformists under Charles the Second; the unceasing opposition which

has ever since been discovered to their complete toleration\*—These few, selected from numberless instances, are sufficient to shew the *very tender* regard that churchmen have had, not only to the property, but to the liberties and lives of others. Let the laity, therefore, be careful not to learn injustice from their oppressors. On the contrary, let us pray that the risings of revenge may be subdued; that a large portion of that spirit peculiar to true Christianity, and which teaches us to love our enemies, may ever prevent our being con-

\* Perhaps it will be said, that the different sectaries, when they were in possession of power, at the conclusion of Charles the first's reign, and during the interregnum, shewed the same persecuting principles as their predecessors. The truth of this must, in part, be acknowledged: for although the "Loins" of the Presbyterian and Independent usurpers, were not so thick as the "Little fingers" of either their predecessors or successors; yet they displayed enough of tyranny, to make us very cautious of trusting any denomination of men with ecclesiastical power, and penal laws. The great Milton, in some parts of his writings, exposes very justly, the intolerant principles of men whose general cause he was a friend to. The history of those unhappy times, serves to confirm the sentiments I have advanced in the beginning of this chapter.

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taminated by the bad examples they have set us.

If the National Assembly wanted an extraordinary plea for their conduct in resumming the church possessions, that of NECESSITY might be used with a much better grace than we find it in general has been. But I never was fond of such an argument ever since I read the conjecture of Milton, that it was first invented by the GRAND ENEMY of mankind, as an apology for the mischief he was about to introduce in the world, by tempting our first parents.

“ He with necessity,  
“ The tyrant’s plea, excus’d his devilish deeds.”

Justice should ever precede necessity, in actions of a public, as well as of a private nature. If we once lose a sense of the former, we know not to what lengths we may be hurried by the latter. The proceedings of the National Assembly were founded not only on *political right*, but on *political justice* \*.

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Justice

\* I will not pretend to say what was the motive of the Duke of Richmond, for informing the bishops at the commencement of the American war, “ That if the people “ wanted money, they knew where to look for it.” But as  
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Justice required that the pressing wants of the state should be supplied; and how this was to be done without bringing the church property to market, the wit of man could not devise. Bankruptcy stared the nation in the face; and so hopeless was the situation of the finances, that some of the aristocratic party, advised the National Assembly not to think of retrieving them, but absolutely to declare the nation bankrupt; and to address his majesty, informing him that he had called them together *too late*; that it was impossible to discharge debts formerly contracted, and that all they could do was to provide for the future. The assembly, to their honour, declared that the debts having been contracted by the king in the name of the nation, they were bound to consider them as public, and that the man who should dare to pronounce the word bankruptcy, should be counted infamous. A striking proof of the superiour regard to justice in the new government, than in the

his Grace is now high in office, perhaps it may be just necessary to remind him, that since the above period, the people are eighty millions deeper in debt, and are loaded annually with additional taxes to the amount of five millions,

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old. The one had frequently broken their engagements with the public, the other resolved to preserve national faith inviolable. But how was this to be done? Neither despotic or popular authority, could compel a nation, ground down by oppression, to pay even the existing taxes: the very attempt to have levied new impositions would only have been the project of wickedness and madness united; and when Mr. Burke intimates that "New impositions might easily have been made," he discovers his total ignorance of the situation, and of the disposition of the French people.

In such a situation, political justice demanded, that the property of the public should be applied in such a manner as to prevent disgrace and ruin. The church possessions (les biens nationaux) were therefore brought forward, the sale of them was decreed, and ASSIGNATS upon their credit were issued. Mr. Burke, with his usual penetration, discovered that the proposed sale of the church lands was only a bubble. His language is; "In reality, and in a fair sense, the lands of the church (so far as any thing certain can be gathered from their proceedings,)

“ *are not to be sold at all.* By the late reso-  
 “ lutions of the National Assembly, they are  
 “ indeed to be delivered to the highest bid-  
 “ der. But it is to be observed, that a cer-  
 “ tain portion only of the purchase money  
 “ is to be laid down. A period of twelve  
 “ years is to be given for the payment of  
 “ the rest. The philosophic purchasers are  
 “ therefore, on payment of a sort of fine,  
 “ to be put instantly into possession of the  
 “ estate. It becomes in some respects a  
 “ sort of gift, to be held on the feudal  
 “ tenure of zeal to the new establishment.  
 “ This project is evidently to let in a body  
 “ of purchasers without money \*.” Mr. B.  
 has omitted, whether designedly or not I  
 leave others to determine, one *trifling* cir-  
 cumstance, which is, that the purchasers,  
 after their first deposit of twelve per cent,  
 are to pay the remainder by instalments  
 every year, and after the first year, five per  
 cent interest, till the whole of the original  
 price is discharged. It will surely be ac-  
 knowledged by every unprejudiced person,  
 that this was a prudent, as well as a bene-

\* Reflections, p. 182—183.



ficial mode, of disposing of so large a mass of property \*.

Were we to form our judgments from what Mr. Burke has been pleased to reveal to us concerning the sale of the church possessions, we should suppose the whole to be nothing but a scheme of intrigue, and juggling, concerted between the most consummate villains, who had seized the public property to answer their own private purposes. I will not insult the reader by quoting language, as false as it is injurious. Nothing can be more just than the *manner* in which this great national project is executed. Every circumstance relative to the mode of disposal and application, is open, fair, and honourable. The most public notice is given by advertisements in the papers, and by posting bills in the most frequented places, of the intended sales, with particulars of the estates and effects: the sales are by public auction. Having

\* The inferiour property, such as rents, obligations, &c. is paid for by different instalments, the last of which must be made within two years and ten months from the time of purchase.

Decrets de l'Assemblée Nationale des 14 Mai, &  
17 Nov. 1790,

attended some of them, I will venture to assure Mr. Burke, that should *he* ever be inclined to become one of the “philosophic purchasers,” he will be treated as fairly, and as politely, as any of the rest. The assignats, paid in as deposits, are cancelled; and lists, containing the number and description of each, are hung up in a public hall, and may be examined by any one. Even this is not thought sufficient. The cancelled assignats are afterwards burnt in the most public manner possible. This ceremony is performed in the court of the *Caisse d'extraordinaire*, at noon day. The populace who attend, form themselves in a circle, and a grate pierced on all sides is placed in the midst. Two of the commissioners of the treasury, and two of the deputies of the National Assembly, attend on the occasion. The door of the grate is unlocked by one of them, the assignats, brought in small packets, are untied, and thrown in, and the door is again locked. Proclamation is then made of the amount; the fire is kindled, and the assignats are consumed; the grate is turned on all sides, and the ashes distributed to the winds. When warming myself by some of these ecclesiastical

clesiastical bonfires, I have felt happy in reflecting, that instead of living in those dreadful times, when fires were lighted by the clergy, and human victims were consumed, I was reserved for the present period, when the vast, accumulated, ill acquired property of that body, is devoted to the welfare of the people.

Upwards of fifty millions sterling of this property have been sold at two thirds, on an average, higher than its original valuation. Sixteen millions sterling of assignats have been paid in for deposits, and for the full amount of some of the estates ; the purchasers frequently prefer making the whole of the payment at once, as by this means they save the interest.

We see what respect is due to Mr. Burke's predictions: " The lands of the church are " not to be sold at all: they are a sort of " gift to be held on the feudal tenure of " zeal to the new establishment. This project is evidently to let in a body of purchasers without money." As staunch a friend as Mr. Burke may be to the old popish establishment, I hope he does not pretend to a grain of its infallibility.

How this great operation in finance, may terminate,



terminate, it is impossible yet to say ; it is sufficient for me to observe, that it has hitherto answered the grand ends proposed. The deficiencies of the taxes have been supplied, the payments of the dividends on the public debts, which previous to the revolution were suspended, are now as regularly made as the dividends at the bank of England. The funds have arisen from twenty to thirty per cent, and a national bankruptcy, with all its horrors, has been avoided\*.

It was not only the *political*, but the *religious* interests of the people, which required the resumption of the church possessions. Mr. Burke has given us a melancholy account of the religious state of the French nation, and if we may credit him, the people are, with few exceptions, atheists, infidels, and profligates. It is to be wished he had traced, with some degree of accuracy, the causes of this degeneracy of faith and manners. This is a matter which deserves a very serious enquiry, and I wish some person of ability and impartiality

\* The public will shortly be favoured with an accurate account of the French finances, by Mr. Christie, in his second volume of *Letters on the Revolution*.

would give it that attention it deserves. Perhaps it might be found that the vices of the French, proceed rather from thoughtlessness than from depravity ; from want of settled principles, than from the adoption of bad principles. But whatever may be the cause, I must acknowledge, that if I have any doubts with respect to the stability of the revolution, they proceed not from the enemies of the people, but solely from the people themselves ; lest they should not be regenerated in their sentiments and manners, as well as in their government ; lest they should not possess that elevation, that patriotism ; those virtues which have, in so remarkable a manner, animated the minds of their legislators\*. But what has been the cause of the degeneracy complained of? Is it the decrees of the National

\* Mr. Burke quotes a speech of M. Rabaud de St. Etienne, for the purpose of ridicule. It however contains truths of the greatest importance ; speaking of the old government, he says "*Tous les établissemens en France courromment le malheur du peuple : pour le rendre heureux il faut le renouveler ; changes ses idées ; change ses loix ; changer ses mœurs ; changer les hommes ; changer les mots. tout détruire, oui tout détruire, puisque tout est à récréer.*" Reflections. p. 248.

Assembly? No; I defy any man to mention a single decree which attacks any religious principle, loosens any moral tie, or countenances any profligate action. Or if there had been any decrees of such tendency, it is impossible they could, in the short compass of a year or two, have answered the end of degenerating the people at large.

Theologians have disputed much concerning the nature and effects of divine grace; whether its operations in the conversion of a sinner from vice to virtue, are instantaneous and irresistible: but surely no one ever maintained, that it is possible for any human, or even infernal agency, to pervert many millions of men, almost irresistibly and instantaneously, from virtue to vice. The questions then are, how came atheism, infidelity and profligacy, to be thus prevalent? What has been the situation of the French as to the means of instruction? Have they had no churches, no pastors, no teachers; has the state made no provision for their religious wants? The plain answer to these questions must be: All the atheism, all the infidelity, and all the profligacy complained of, has flourished in a country overrun with ecclesiastics in possession of a plenitude



tude of power and splendour, and whose revenues amounted to TWELVE MILLIONS STERLING *per annum*! Hear this, all ye friends to civil establishments of religion, and be convinced of a truth which history and observation compel us to proclaim—That in proportion as those establishments are cloathed with authority, and endowed with riches ; atheism, infidelity and profligacy, most surely gain the advantage! It was therefore not only *political*, but *religious* justice, which obliged the National Assembly to take the ecclesiastical possessions into their hands, that they might be applied to better purposes than they uniformly had been, previous to the revolution.

But “ the church is ruined, and religion is “ destroyed!” Such is the direful exclamation of Messrs. Calonne and Burke. I give these statesmen credit for speaking as they think ; they speak feelingly ; I believe *their* church and *their* religion are ruined and destroyed for ever. As to the former of these gentlemen, his countrymen had a *fine* specimen of his *pious* zeal, during his late administration, when in the course of five or six years, in the time of profound peace, he added twenty millions sterling to the national debt. His religion  
was

was corruption, his church the treasury, his bible *le livre rouge*; and his worship was constantly performed at the shrine of ministerial extravagance. Was it possible for him ever to resume the reins of administration, the alliance between church and state being broken, he could no longer oblige his friends, *or the friends of his mistresses*, by appointing them to bishoprics, or to other valuable ecclesiastical preferments: *Hinc illæ lachrymæ!* This fallen statesman's system of national religion, is indeed irrecoverably lost! With respect to Mr. Burke, his character in private is said to be respectable, and even in public, it is not so completely blasted as Monsieur de Calonne's; but what opinion can we form of the religion of a man, whose mind is full of prejudices, and whose christianity, judging from his writings, seems little else than an attachment to its corruptions. When he talks of a church establishment being the first of his prejudices—of the necessity of the consecration of the state, by a state religious establishment—of church and state being ideas inseparable in his mind—When he considers it absolutely necessary, that religion should exalt her mitred front  
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in courts and parliaments; that an archbishop should precede a duke; and that a bishop of Durham and a bishop of Winchester should be paid by the nation ten thousand a year; (what a pity it is he did not inform us, what were the services that deserved such wages) When we read such language with much more of a similar nature, we are ready to ask, has the man who thus “prates” about religion, ever read a single page, or ever heard of such a book as the new testament? Has he no faithful christian friend to inform him, that he has yet to learn the first rudiments of religion; that his present sentiments tend to incapacitate him from understanding the A, B, C, of Christianity; and that while his mind is manacled under the tyrannic dominion of prejudice, he “cannot enter into the kingdom of God?” As he professes himself such a warm friend to the church of England, it is to be lamented, that some of its ministers do not converse a little freely with him, on these important subjects.

This is indeed the more necessary, if we consider that this gentleman’s moral sentiments are, in some respects, as perverted as his political and religious. What can we

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think of that morality, which while it is outrageous against vice in a low station, can varnish over, or rather can hardly discover vice in a high station? Must not every friend to morality detest the system which inculcates that “vice by losing all its grossness, loses half its evil?” Read this, ye profligates of every kind; you have only to colour over your crimes, and they are half atoned for. The zeal for religion discovered by such men as Messrs. Calonne and Burke, reminds me of a zeal something similar in those *pious worthies*, the Liverpool African traders, whose resolutions published in the papers, held forth as reasons for continuing their traffick in blood and slavery—“That should  
 “the trade be abolished, the negroes would  
 “be deprived of the privileges of a British  
 “constitution, and the blessings of the christian religion.” British liberty will doubtless spread far and wide, and christianity will flourish gloriously, in the hands of modern statesmen, African traders, Guinea captains, and West India Planters\*!

\* This is not the first time that slave traders have discovered their *holy zeal*. In the last century, the assembly of Jamaica proposed to banish all the Jews from the island, BECAUSE THEY WERE THE DESCENDANTS OF THE CRUCIFIERS OF OUR LORD!

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But let us attend to the church of France, and enquire whether the regulations adopted by the National Assembly, have the tendency to ruin, or to restore it to primitive purity. I have endeavoured to vindicate the resumption of the ecclesiastical possessions on the principle of *justice*; to which I shall add, that in the whole proceeding, mercy has “seasoned justice.” The ministers of the old church, who will not take the oath of fidelity to the new establishment, are not turned out to starve. The French reformers have not followed the example of *their* clergy, who had so often ruined the Protestants, or of *our* clergy in the last century, who when they ejected their brethren, so far from leaving them a shilling, prevented them, by their cruel persecutions, from procuring a subsistence.

The French legislators on the contrary, have not only charged the nation with the debts of the clergy, amounting to four millions sterling, but have appropriated the sum of three millions sterling for their pensions, although many of them are known to be enemies to the new constitution, both

civil and ecclesiastical\*. There is one thing which one could wish national justice might have permitted, namely, that those few individuals whose lives adorned their profession, who were in possession of valuable preferments, had been permitted to enjoy them during their lives: but it was impossible to make this distinction. To the honour of those men let it be known, that they have been zealous in the promotion of those reforms, by which they themselves have personally suffered. If we admire patriotism when we discover it in the laity, we ought almost to adore it, when we find it burning with so pure a flame in the breasts of the clergy†.

The National Assembly have *suppressed the monastic orders*; at the same time, the individuals who composed them are comfortably

\* The ecclesiastical pensions amount to 72,621,000, and the debts to 95,000,000 of livres.

Memoires sur les Finances du Royaume, présentés à l'Assemblée Nationale, Sep. 1791, au nom du Comité des Finances, par M. Montesquiou, député de Paris.

† The Abbé Sieyes was the author of the famous Declaration of Rights. The bishop of Autun and the abbé Gregoire, not to mention others, have taken the lead in most of the public measures.

provided



provided for, and placed in proper situations. Those persons who have visited the catholic countries, and have attended to the lower orders of ecclesiastics, must soon be convinced, that in proportion as they abound in any country, ignorance, indolence, and vice will prevail. Monks and friars are in general worse than leeches, they suck the blood of their country, and at the same time are productive of little but mischief.

The National Assembly have *annihilated the power of the pope*. His holiness can no longer drain the country of money, nor exercise his arbitrary dominion over any of the members of the Gallican church; his bulls are laughed at, and he is as much despised in France, as in England: whilst I was at Paris, the sovereign pontiff, for having published an angry brief against the Assembly, underwent our fifth of November ceremony, and was burnt in effigy at the *Palais Royale*, one of the most public places in the city. If his holiness repents, and chooses to continue in communion with the French church, he may; and if not, he may let it alone. This and the last mentioned article of church reform must surely be matter of joy to every true

Protestant. We now behold monks and friars,

“ White, black, and grey, with all their trumpery :  
 “ Cowls, hoods, and habits toft  
 “ And flutter’d into rags. Reliques, and beads,  
 “ Indulgences, difpenfes, pardons, bulls,  
 “ The fport of winds \* !”

As Mr. Burke is, I believe, the only man of common fenfe, who laments the general wreck, let him lament it as long as he pleafes.

The National Affembly have *absolved the religious of both fexes from their vows of celibacy*. The constitution declares,—“ The law recognifes no longer any religious vows, nor any other engagement, which would be contrary to natural rights, or to the constitution †.” This I cannot but think a moft important article of national reform. It will be acknowledged, by thofe who are impartial, that religious vows, as they are called, were the nourifhers of vice, not only in the church, but throughout the French empire. Mr. Burke, fpeaking of the clergy, fays, “ With fome of the higher clergy I had a perfonal acquaint-

\* Paradife Loft, book III.

† Constitution, p. 22.

“ance ; and of the rest in that class, very  
 “good means of information : they seemed  
 “to me beyond the clerical character, liberal  
 “and open, with the hearts of gentlemen,  
 “and men of honour.” From what I have  
 observed, and heard of the French clergy, I  
 believe this is only doing them common jus-  
 tice. I have been agreeably surprized at  
 their liberality and openness, especially  
 when conversing on religious topics. I  
 have seen with pleasure, Catholic Abbés,  
 in a Protestant church, and have wished  
 their example, of occasionally attending  
 places of worship, and associating with  
 different communities, out of their own  
 establishment, was followed by the clergy,  
 as well as the laity, in our reformed  
 churches \*.

If Mr. Burke had contented himself with  
 describing the French clergy as polite, well  
 behaved gentlemen, or as men of honour,  
 nobody would have differed from him : But  
 when he tells us ; “ He is certain that the

\* The late Dr. Johnson, when he visited Edinburgh,  
 although he was personally acquainted with the celebrated  
 Dr. Robertson, declined going to hear him, *because he*  
*would not be seen in a Presbyterian meeting-house !*



“ number of vicious prelates was not great,” and that “ the morals of the clergy in general were perfectly good,” he only shews us that he is as ignorant of the nature of Christian morals, as of Christian principles. This is confirmed by his adding, “ Certain individuals, not distinguishable for the regularity of their lives, made some amends for their want of the severe virtues, in their possession of the liberal, and were endowed with qualities which made them useful in the church *and state*\*.” I make no doubt of Mr. Burke’s sincerity on this occasion. Churchmen in all ages, especially those who have been wanting in the “ severe virtues,” have been very serviceable “ in the state,” particularly in forwarding the purposes of despots, to enslave their subjects. But I beg leave to assert, that any man who is destitute of the “ severe virtues,” is (in whatever degree he may possess what are called the liberal) by no means suitable for the office of pastor in a Christian church †. I do not wish to be

\* Reflections, p. 225—228.

† The Bishop of London, in a late charge gives a different account from Mr. Burke of the French clergy. His Lordship justly intimates, that their vices were one cause of the

be thought uncandid to the French clergy. I believe they were just as other men would have been in the same situation : but I must affirm, that so far from “ there having been “ few vicious prelates,” or from “ the morals of the clergy being in general perfectly good,” it was directly the reverse\*. Unless by their sanctity, they were something more than men, or by their consti-

the loss of their possessions, and gives his brethren a proper hint, to take care lest they should be served in a similar manner.

\* I suppose we shall next hear of the morals, and of the piety of the French court. One quotation from a modern writer shall suffice to shew how *rationaly* and *religiously*, Louis the XV. spent his sabbaths. “ Returning one Sunday to Versailles, I perceived at a distance a number of “ people assembled upon the terrace of the castle, and on “ a nearer approach, I beheld Louis XV. surrounded by his “ court, at the windows of the palace. A man very “ richly dressed, with a large pair of branching antlers “ fastened on his head, whom they called the STAG, was “ pursued by about a dozen others, who composed the “ PACK. The pursued and the pursuers leaped into the grand “ canal, scrambled out again, and ran about to all parts ; “ while the air resounded with acclamations of clapping of “ hands, to encourage the continuance of the sport. What “ can all this mean? said I to a Frenchman, who stood “ near me. Sir, he replied, with a very grave countenance, it is for the entertainment of the court.”

Zimmerman on Solitude, p. 14.

tution

tution something less (they never pretended to be the former, and will thank no one for supposing them the latter) they must have been habitually vicious, living in the practice of what the Gospel expressly condemns. A common acquaintance with human nature is sufficient to inform us, that any body of men living in celibacy, must (with a few exceptions) live in vice: and it is not surprising, when this was known to be the state of sixty or seventy thousand ecclesiastics, that the virtues of chastity, and conjugal fidelity, should not often have been remarked, as the characteristic virtues of the French nation, more especially as the holy gentlemen had, on all occasions, and for every *faux pas*, the power of absolution.

The National Assembly, by declaring that the law will no longer recognise any religious vows, have done much towards reforming the clergy, and making them respectable, and happy in society. Before they were forbidden to marry: now they may enter into that union, which if properly formed, constitutes the chief happiness of life; and enjoy all the "dear relations, and tender charities" resulting from the conjugal relation.



relation. When they feel the warm blood of a parent flowing round their hearts, instead of being ashamed to acknowledge, they may glory in their feelings. As the ladies in the convents are likewise absolved from their vows of celibacy (although the National Assembly have, in their politeness, exempted the female religious from the regulations of the other sex) they, without doubt, will take the advantage: “The soft heart of sensibility will no longer beat behind the grate of a convent.” Many lovely girls, instead of being buried alive, will be transformed into affectionate, and without doubt, dutiful wives, and tender mothers. As the ladies in other countries, are often remarked for their attachment to *Parsons*, the French ladies, will doubtless shew a similar disposition. Several of the *Reverends* have already offered their hands, and have been accepted; and there is every reason to suppose their example will be, in the course of a few years, almost universally followed. Reformation amongst the clergy must, therefore, follow of course.

I wish it was in my power to do the ecclesiastical reformers of France that justice they deserve; by entering at large into  
to

those various regulations which they have adopted in their new establishment. The whole code is replete with information, and well worthy the attention of any legislators who may be called to the important work of reformation in other countries : but as I perceive this chapter will be longer than I intended, I shall confine myself to those articles which more immediately interest the members of the religious establishment in this country, whose attention I now wish seriously to engage.

THE FIRST EXCELLENCE which I shall notice in the new church of France, is, THE RIGHT OF ELECTION OF THE MINISTERS BEING RESTORED TO THE PEOPLE. The constitution declares ; “ The citizens have a “ right to elect, or choose, the ministers of “ their religions\*.” The word is in the plural number, to denote that this right extends equally to those who dissent, as to those who conform to the established church. The right of choice is not extended to the citizens universally, but to the electoral assemblies. This is, however,

\* Constitution, p. 25.

a noble amendment, and will probably pave the way for a more perfect state, when every man will think it is his duty to interest himself in the choice of his pastors. Mr. Burke is perfectly consistent in his reprobation of this important article, and as this is a very sore place, we will touch it gently. It must exasperate a statesman, to see the church entirely lost, as an engine of state ; and to find that kings, ministers, favourites, and patrons, have nothing to do with the nomination of ecclesiastics. But when he says, “ That the introduction of  
 “ a principle of popular election to our  
 “ bishoprics, and parochial cures, would  
 “ be the last corruption of the church ;  
 “ the utter ruin of the clerical character ;  
 “ that the whole direction of the public  
 “ mind will be thrown into the hands of a  
 “ set of licentious, bold, crafty, factious,  
 “ flattering, wretches,”—he is, I apprehend, totally mistaken. He has described the clergy as they have too generally been, in past times, not as they will be in future. Heaven forbid, that I should “ set down  
 “ aught in malice,” or say any thing illiberal ; but history bears me out in declaring,  
 that



that a more “ licentious, bold, crafty, factious, flattering set of wretches,” were seldom to be found, than amongst ecclesiastics in most ages \*. As to the church of France, it has in these respects, till very lately, been the very curse of the country. The vices of licentiousness, boldness, craftiness, faction, and flattery, have almost universally contaminated it. Even the best

\* If any of my language respecting ecclesiastics should be thought too free, I can only say, for myself, that I have not, and that I never intend to take such a latitude as the best informed of the clergy have, when speaking of their brethren. The severest reflection on churchmen I ever read, is one of Bishop Burnet’s. He informs us, “ That he always believes well of laymen, till he sees  
“ cause to change his mind ; though as to churchmen, it  
“ is otherwise with him : for he has seen so much amiss  
“ in that profession, that he is inclined always to think  
“ ill of them, till he sees cause to think otherwise.” I beg leave here to remark, that I have made no assertions, but what I have the best evidence to justify. I have almost entirely rejected dissenting witnesses. I had indeed so many of the church of England of the most respectable sort before me, that I found it a greater difficulty which to refuse than which to choose. Those I have cited, I thought necessary in my own defence. This I hope will be a sufficient apology for that variety of quotations which swells this chapter.

men

men in the church have not been free from some of them. Who that has felt the force of that insinuating and persuasive eloquence, in the sermons of *Maffillon*; or has been overpowered by those pathetic and irresistible appeals to the heart, in the sermons of *Bourdaloue*, but must lament that those incomparable preachers offered up the most fulsome flatteries, to one of the most execrable tyrants that God ever permitted to scourge the earth, Louis the Fourteenth\*.

How must we blush when we behold even the angelic *Fenelon*, at times prostituting his talents, and accommodating himself to the vices of the same degenerate wretch?

When the best of men have been thus infected, it is very natural to suppose how the common herd must have been corrupted. The truth is, whatever may be the future situation of the French church,

\* If the reader wishes to see perfect specimens of crafty, adulatory, and flattering language, he has only to peruse the *Compliments au Roi*, which commonly conclude the French court sermons. Some of these sermons are, in many respects, the best in the world, till the conclusion, and then they are the very worst.

it is hardly possible it should be worse than for centuries past.

If from the church of France we turn to the church of England, I have no scruple in saying, that one principal reason why religion is in so sad a state amongst us, is: Our bishops and pastors are NOT chosen by the people. We are careless about religion, and trust our spiritual concerns to statesmen; and so long as that is the case, it is impossible true Christianity should flourish. Our bishops are chosen by the king, at the recommendation of his ministers. The wretched farce of Episcopal election, is called a *Congé d'elire*, that is a *leave* (to the dean and chapter of a diocese) *to choose*, without leave to refuse, or without having any choice at all. Our deans, canons, *cum multis aliis*, are chosen by the crown. Those persons who have most interest with administration, are sure to arrive at the highest preferments.

As to our clergy they are in general chosen by private patrons, though they are sometimes obliged to purchase their preferments. Advowsons are sold by public auction, and it is not uncommon to read advertisements



vertisements in our newspapers of : “ The  
 “ next presentation to a valuable living of  
 “ five hundred *per annum*, in a fine sport-  
 “ ing country ; a pack of hounds kept in the  
 “ neighbourhood ; and little duty required.”  
 Our laws against simony, prevent clergy-  
 men from directly purchasing livings for  
 themselves, but every one knows how they  
 are evaded : “ Some sell the next advowson,  
 “ which is said to be legal, though the in-  
 “ cumbent lies at the point of death ; others  
 “ do not stick to buy and sell benefices,  
 “ when open and vacant, though this is  
 “ declared to be simony in law. Parents  
 “ often buy them for their children, and  
 “ reckon that it is their portion : often ec-  
 “ clesiastics buy the next advowson, and  
 “ lodge it with trustees for their own ad-  
 “ vantage. Where nothing of all this traf-  
 “ fic intervenes, parents bestow benefices  
 “ on their children or friends, without con-  
 “ sidering either their abilities or merit ;  
 “ favour or kindred being the only thing  
 “ that weighs with them. When all this is  
 “ laid together, how great a part of the be-  
 “ nefices are disposed of, if not simoniacally,  
 “ yet at least unworthily, without regard to  
 so sacred a trust as the care of souls \* !”

\* Burnet's Own Time, vol. VI. p. 193.

It is impossible for laws to suggest any remedy whatever for these disorders, while private patronage and traffic are suffered to exist : and since the choice of the clergy is in such improper hands, and conducted in so wretched a manner, we need not wonder at their degenerate state.

This is not the complaint of dissenters ; *they* might be thought partial and improper judges : the best churchmen are continually urging their complaints in the most forcible language. I will only refer the reader to that incomparable address which concludes Bishop Burnet's History of his Own Times. His Lordship was, perhaps, as intelligent, and as honest a man as ever adorned the church : what does he say of his brethren ? “ It is with regret, I have observed the clergy, in all the places through which I have travelled, Papists, Lutherans, Calvinists and Dissenters: but of them all, our clergy are much the most remiss in their labours in private, and the least severe in their lives. I have lamented during my whole life, that I saw so little true zeal among our clergy. I saw much zeal throughout the foreign churches: the Dissenters have a great  
“ deal

“ deal amongst them : but I must own, that  
 “ the main body of our clergy has always  
 “ appeared dead and lifeless to me, and  
 “ instead of animating one another, they  
 “ seem rather to lay one another asleep \*.”

What would this good Bishop have said, had he lived to see the time, when many of our clergy are incapable, or are too lazy even to compose their own sermons ; or had he read advertisements of copperplate sermons, to imitate manuscript, and had been informed that thousands, and ten thousands were sold, as helps to clerical incompetence.

We cannot expect that the clergy should

\* Burnet's History of his Own Time, vol. VI. p. 183.  
 —186. Edinburgh edition.

As I have already quoted, and shall often have occasion to quote the above history, I just observe, that the authour, although he is very faithful in his representation of the deplorable state of the church in which he held so high a station, appears to have been actuated by the best of motives. “ Do not think (says his Lordship) that I say any  
 “ thing to expose you [the clergy] or to defame the  
 “ church : those censures have passed on me for my free-  
 “ dom during life, God knows how unjustly ; my designs  
 “ being all to awake the clergy, and by that means to pre-  
 “ serve the church, for which, he who knows all things,  
 “ knows how much and how long I have been mourning  
 “ in secret, and fasting and praying before him.



be better qualified for their stations, until the people begin to look after them. They have trusted the choice of their pastors, to politicians long enough: it is high time they should resume it\*. It is in vain that some men object to the people having this right restored to them, on account of some inconveniences that might arise from popular elections. The chief of those apprehended inconveniences might be easily avoided by proper regulations. In many of our parishes in London, the people choose their Sunday and weekly lecturers; the dissenters frequently join their brethren in these elections: they are conducted with the greatest order and regularity; and parishioners are, at least, as well served by their ministers, voluntarily chosen, as by the priest who is imposed upon them.

\* The following paragraph appeared lately in several of the ministerial prints. “The Chancellor has no less than  
 “EIGHTY THREE livings in his gift now vacant! To increase the surprise, some of them have been vacant two  
 “or three years or more! They may, with no over-stretch  
 “of popular politics, be considered in their origination and  
 “abstract as the property of the people. The people  
 “then ask, why have they not been given away? When  
 “will they be given? To whom? And on what pretensions?”—Thus does truth sometimes break forth from quarters very little expected.

We

We might appeal to different denominations of Christians, to prove how peaceably popular elections are conducted. And if any person enquires, whether the dissenters are so well instructed as the members of the establishment, let the prelate I have just quoted answer; “The Dissenters have a  
 “much larger share of knowledge among  
 “them, than is among those who come to  
 “our churches\*.” But whatever inconvenience may be apprehended from popular elections, I will venture to say they ought not even to be mentioned as arguments on the subject. The people have a right to choose their own ministers, from the highest to the lowest. Those who are acquainted with ecclesiastical history, need not be informed, that for several centuries after the introduction of Christianity, the people exercised this right in the fullest extent. “That the people had votes in the  
 “choice of bishops all must grant; and it  
 “can be only *Ignorance* and *Folly* that  
 “pleads the contrary†. It is a piece of  
 “history which cannot fairly be denied,  
 “that amongst the primitive Christians, *the*

\* Burnet's Own Time, vol. VI. p. 195.

† Dr. Lowth on Church Power.

“ people used to have their suffrage in the choice  
 “ of church officers ; that this is the most regu-  
 “ lar way ; that it continued many years ; and  
 “ those Christians who have gone about to mend  
 “ this way, have only made it worse\*.” So  
 jealous were the primitive Christians of this  
 right, that they resolved if any presbyter  
 was created a bishop by imperial mandates,  
 they would renounce him. “ In the primi-  
 “ tive times every Christian church consist-  
 “ ed of the people, their leaders, and mi-  
 “ nisters or deacons, and these belonged es-  
 “ sentially to every religious society. The  
 “ people were undoubtedly the first in authority ;  
 “ for the Apostles shewed by their own example,  
 “ (Acts i. 15. vi. 3. xv 4. xxi. 22.) that no-  
 “ thing of moment was to be carried on or de-  
 “ termined, without the consent of the assembly.”  
 “ The ancient method of ecclesiastical go-  
 “ vernment varied by imperceptible de-  
 “ grees from the primitive rule, and de-  
 “ generated towards the form of a religi-  
 “ ous monarchy ; for the bishops aspired to  
 “ higher degrees of power and authority than  
 “ they had formerly possessed, and not only vio-  
 “ lated the rights of the people, but made gra-  
 “ dual encroachments on the privileges of the

\* Dr. Wall's History of Infant Baptism, p. 334.

“ presbyters,



“ *presbyters.* This change was soon followed  
 “ by a train of vices (*luxury, voluptuousness,*  
 “ *vanity, arrogance and ambition, contention and*  
 “ *discord*) which dishonoured the character and  
 “ authority of those to whom the administration  
 “ of the church was committed.”—In the fourth  
 “ century, the bishops, whose opulence and  
 “ power were considerably encreased since  
 “ the reign of Constantine, began to intro-  
 “ duce INNOVATIONS, and to change the  
 “ government of the church. *Their first step*  
 “ *was an entire exclusion of the people from*  
 “ *all part in the administration of ecclesiastical*  
 “ *affairs.* Their aim was principally, that  
 “ they might either engross to themselves, or  
 “ distribute as they thought proper, the possessions  
 “ and revenues of the church\*.” From this  
 plain and indisputable evidence, we may  
 observe, that the people have an undoubted  
 right to choose their own pastors ; that the  
 depriving them of it was an *Innovation*, at-  
 tended with the worst of consequences, and  
 that Christianity will never be restored to  
 its primitive purity, till that *Innovation* is  
 abolished. All those persons, whoever they  
 are, or by whatever name they may be cal-

\* Mosheim's Ecclesiastical History, vol. I. p. 99. 265.  
 348. Edition 1782.

led, who keep the people from exercising this original right, and assume it themselves ; we must take the liberty of calling in this respect, RELIGIOUS ROBBERS. When will the time come, that we shall be favoured with a set of patriots who will restore to the people, not only their political, but their religious privileges ; or when will the people have wisdom and spirit sufficient to claim them for themselves ?

A SECOND EXCELLENCE in the reformed church of France, is, THE MODE BY WHICH THE CLERGY ARE PROVIDED FOR. Under the old establishment provision was made for them by a large portion of public property, and by *tithes*. How the former has been disposed of we have already seen: As to the latter they are imposed no longer: tithes of every kind are entirely abolished ; at the same time laymen, who by purchase were in possession of any part of them, are indemnified. The clergy are now paid in the same manner as other servants of the public, and as the clergy of Holland, and several other reformed churches ; out of the common national property. Their salaries, which the French clergy receive one quarter in advance, are reckoned in the annual expences.

pences. This is certainly as just, fair, equitable, and satisfactory a mode as could well be devised, and was it adopted in this country, it would certainly be a much preferable mode to that by which our clergy are now maintained. I shall say nothing respecting those possessions, such as lands, and estates, which we have devoted to the service of the church; but with regard to tithes, surely every true friend to our civil, as well as religious interests, must earnestly wish, that our clergy were provided for in a manner less hurtful to both. The sentiments of a dignitary of the established church on this subject, are so just, as to demand the serious attention both of clergy and laity. Speaking of the agriculture of this country, he observes: “Agriculture is discouraged by every constitution of landed property, which lets in those which have no concern in the improvement, to a participation of the profit. Of all institutions which are, in this way adverse to cultivation and improvement, none is so noxious as that of tithes. A claimant here enters into the produce, who contributed no assistance whatever to the production. When years, perhaps,



“ perhaps, of care and toil have matured  
 “ an improvement ; when the husbandman  
 “ sees new crops ripening to his skill, and  
 “ industry, the moment he is ready to put  
 “ his sickle to the grain, he finds himself  
 “ compelled to divide his harvest with a  
 “ stranger. Tithes are a tax not only up-  
 “ on industry, but upon that industry  
 “ which feeds mankind ; upon that species  
 “ of exertion, which it is the aim of all  
 “ wise laws to cherish and promote ; and  
 “ to uphold and excite which, composes the  
 “ main benefit that the community re-  
 “ ceives from the whole system of trade,  
 “ and the success of commerce \*.”

I cannot but express my regret, that the  
 author of these observations did not add  
 something to prove, that tithes are equally  
 adverse and noxious to our religious, as to  
 our agricultural improvement. An atten-  
 tion to the former, as well as to the latter,  
 would not have derogated from his charac-  
 ter, as a minister of the gospel. A more  
 unhappy method of providing for the mi-  
 nisters of the Christian church could scarcely  
 have been contrived. In most parts of the

\* Paley's Philosophy, vol. II. p. 405—6.

kingdom,

kingdom, the imposition of tithes is a heavy burthen ; in some parts it is become by the strictness of the clergy, intolerable. Our brethren the quakers, seem to consider the clerical body as composed of state pirates ; they resist their claims, on religious ground ; but when the civil magistrate interferes, that resistance ceases, and they submit to be, as they consider it, plundered by law. But the discontent is not confined to quakers, or any other body of dissenters, many of the members of the established church shew equal discontent, and at times more vigorous opposition.

The public papers are continually informing us of the tedious, vexatious, and expensive law suits, carried on in various parishes, on account of both great and small tithes. There are not wanting instances of individuals, who because they have been unable, or unwilling to satisfy the claims of the parish priest to the uttermost farthing, have been forced to submit to the horrors of a jail, where they have languished and perished. The keenness of the clerical scent in many parishes is truly surprising ; nothing can escape it ; not only the produce of arable and pasture land, but of the garden and  
the

the orchard is ravaged ; pigeon-houses and hen-coops are searched ; pig-sties are groped into ; and as if the squabbles often occasioned by such intrusions were not warm enough, these christian pastors force themselves into hot houses, and seize upon all plants and fruits, British and Exotic. Scarce a species of property animate, or inanimate, does the husbandman or the country gentleman possess, but he must contribute a tithe of it to the parson. It is true many of the clergy are so prudent, as to settle this disgraceful business by commutation ; and it is this method which makes the laity submit to an imposition, which one day or other they will have sense and resolution enough to get rid of. If the clergy are wise, they will submit to almost any commutation rather than open the eyes of their parishioners by quarrelling with them ; some of our dignitaries are of a different opinion. The bishop of Lincoln, (Dr. P. so famous for his *state services*, when secretary to Mr. Pitt who has since elevated him) lately delivering a charge to the clergy of his diocese, was kindled with such *pious zeal* for the temporal interests of his brethren, that he urged it upon them, to be cautious of accept-  
ing



ing commutations for their tithes; that it was the best way to receive them in kind, for as property in general was rising, it was natural to suppose tithes would increase in value.

I know not whether to wish his Lordship's advice may be echoed by every one of the episcopal bench, and followed by every one of the clergy; or that it may be treated with that contempt and detestation it deserves. In the latter case, tithes may be levied some years longer, but in the former, the whole business will soon be over. I think our bishops and clergy call themselves the successors of the apostles; of those labourers who although they were well worthy of their hire, were so far from coveting any man's silver or gold, or apparel, that they absolutely laboured with their own hands, rather than that the success of the gospel should be hindered. Whether those pastors who are so eager for their great and small tithes as to fight for them in law, regardless of the consequence to the religious concerns of their parishioners, are as they pretend, the successors of the apostles\*; or

\* Bishop Horsley takes care in his writings, more than once, to remind us, that the clergy (he and his brethren) are the successors of the apostles, and that those persons  
who

or whether they are a species of those  
 “grievous wolves,” which one of those apos-

who leave these their lawful pastors to wander after others,  
*are guilty of a sin which nothing but ignorance can excuse.*  
 I wish to be instructed in this business. If the ministers  
 of the church of England are the descendants of the apos-  
 tles, they derive their spiritual descent from the church of  
 Rome, which must then be a true church. Archbishop  
 Laud, the famous high church tyrant of the last century,  
 whose sentiments were similar to bishop Horsley's, gave  
 it as his opinion that the church of Rome *is* a true  
 church. “I do still believe,” he adds, “that she never  
 “erred in fundamentals, and it would be sad if she should,  
 “*for 'tis through her that the bishops of the church of Eng-*  
 “*land, who have the honour to be capable of deriving their*  
 “*calling from St. Peter, must deduce their succession.*” The  
 practice of the church of England seems to confirm this opi-  
 nion, for while she denies the ministers of all the Protest-  
 ant reformed churches entrance into her pulpits, she readily  
 admits the priests of the church of Rome. Thus it seems  
 settled, that these are sister churches, and that both stand  
 upon the same foundation; but what say our reformers?  
 In the homilies they tell us, “That the church of Rome  
 “is idolatrous; and antichristian, not only an harlot, as the  
 “scripture calleth her, but also a foul, filthy, old, withered  
 “harlot; the foulest and filthiest that ever was seen; And  
 “as it at present is, and hath been for 900 years, it is so  
 “far from the true church, that nothing can be more.”  
 Who are plain men, like myself, to believe in this case?  
 The reformers, or archbishops and bishops? Pray my  
 good lord of St. Davids, condescend to ease our troubled  
 consciences, and preserve us from being any longer guilty  
 of the horrible crime of SCHISM.

bles

bles predicted, should in after times ravage the church, “not sparing the flock;” I leave to be determined by every man who reads the new testament with impartiality.

In the mean while, I beg leave seriously to ask respecting those parishes in which minister and people are engaged in a perpetual quarrel, where the one is considered as an avaricious harpy, and the other as a parcel of cheats—Where is religion during the horrid contest? Bleeding under the wounds received in the house of her friends! Are the hearts of our ecclesiastical governors callous to the distressed situation of the heavenly visitant, that they will not endeavour to bind up her bleeding wounds, and prevent her from receiving in future such shocking usage?

I cannot help adding on this subject, that the imposition of tithes is a most abominable INNOVATION, introduced into the church for interested purposes. They were originally given *voluntarily*, sometimes to the poor, and sometimes to the church. By degrees, as the power of the clergy encreased, their avarice likewise encreased: they excluded the poor, and kept all the tithes to themselves. It was not however till the reign of king  
JOHN,



JOHN, *twelve hundred* years after the birth of CHRIST, that the pope made a law that all tithes should be paid to the parish priest; nor was it till some time after, that they were levied by law, throughout the kingdom. As I am an enemy to all INNOVATIONS, more especially to clerical, I think it necessary to warn my countrymen, lest part of that property which is, as the tithes once were, devoted to the poor, should be appropriated to the clergy. If newspaper information can be depended upon, archdeacon Paley recommended, in a late discourse to the church wardens of different parishes, to make up the salaries of those clergymen who were not sufficiently provided for, *out of the poor rates*, as the law authorised them so to do. Whether the law authorises this *innovation*, I know not; but if the people suffer it without powerfully complaining, they will be more completely priest-ridden than I could have imagined.

In France, the imposition of tithes is forever abolished; the people have already experienced the happy effects of being relieved from the oppression. During the last autumn, the husbandmen in several parishes began their harvest in a manner expressive of

of their gratitude, both to God and to the National Assembly. Their pastors accompanied them to the field. TE DEUM and other anthems were performed, and the grateful effusions of the heart ascended to heaven in praises and thanksgivings. The most thankful acknowledgments were made to their legislators, by whose wise and merciful decrees, every one was about to reap the fruits of his labour, happy that he could now call the whole produce of his fields HIS OWN. Music, and dancing, and innocent festivity, displayed through the parish, the felicity of the inhabitants\*. Is there an Englishman who reads this account but must earnestly hope that the period is not far distant, when *his* countrymen shall enjoy similar felicity, and express their feel-

\* It ought to be mentioned to the honour of the lower class of the French people, that their public rejoicings are not disgraced with that disorder and drunkenness which appear in other countries that pretend to be more virtuous. When the constitution was proclaimed at Paris, and every house, and place of entertainment was illuminated, when the Theatres were opened and the populace admitted *gratis*, there was not the least riot, or confusion whatever. This is the country which our ministerial writers continually inform us, is without law or government, and where nothing but anarchy prevails !

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ings in the same grateful and devotional manner!

A THIRD EXCELLENCE in the reformed church of France is, THE JUST DISTRIBUTION OF THAT PART OF THE PUBLIC PROPERTY WHICH IS APPROPRIATED FOR THE SUPPORT OF THE CHURCH. In the old church injustice reigned through the whole system; some of the bishops were in possession of revenues to the amount of twenty to thirty thousand pounds sterling *per annum*; and some of the *curés* to the amount of two thousand, whilst a considerable part of the clergy were starving. By the decrees of the National Assembly, the bishop of Paris (the unscriptural title of archbishop is abolished) is allowed an income of two thousand guineas; and the other bishops from five hundred to eight hundred and thirty pounds, according to the extent of their diocesses. The *curés* have incomes from two hundred and fifty down to fifty pounds, according to the number of souls in their different parishes. Every bishop and *curé* is allowed a house, (to which a garden and a piece of ground is usually adjoined) suitable to his situation, which is to be kept in repair at the public expence.

When



When a *curé* is disabled by age or infirmities from attending to the duties of his office, he is either to have an additional vicar allowed him, or permitted to retire on a suitable pension, as he may judge most eligible\*. If the salaries above stated should appear too small, let it not be forgot, that the necessaries and conveniences of life are considerably cheaper in France than in England. When this is considered, it may be truly said, that the French clergy are provided for comfortably, though not luxuriously; and notwithstanding the hideous outcry which has been raised, it is a fact, that a very considerable, if not the major part of the clergy, are better provided for in the new than in the old establishment.

If we now turn our attention to the church of England, we shall find similar injustice in the application of the church property, as in the church of France before the revolution; and consequently the same

\* The reader will recollect that the word *curé* nearly answers to that of rector; the vicars are assistants something like our curates; their salaries are in general about two thirds of the amount of the *curé*'s. These three are the principal orders of ecclesiastics in the French church.

necessity for a reformation. There are few persons but what are acquainted with the flagrant irregularities of this part of our ecclesiastical system; we shall therefore mention only a few of them. We have our Archbishop of York, and of Canterbury, with salaries of ten to fifteen thousand a year. Our bishop of Durham we pay, it is generally supposed, upwards of twelve thousand; the rest of our bishops we hire at different salaries, from two to eight or ten thousand. The annual wages of our deans are different, from four or five hundred pounds to two thousand. Some of our prelates not content with their usual revenues, must likewise have a deanery, or some other preferment\*. I shall entirely pass over our archdeacons, prebendaries, canons, with many others. If a foreigner should ask me what is their use, or for what reason we retain such a number of officers in the church, or whether the people might not look after their stated ministers as well as a bishop or a dean, and consequently save themselves an

\* Dr. Prettyman, soon after his elevation to the see of Lincoln, prevailed with his patron Mr. Pitt, additionally to reward his *state services*, by bestowing on him the valuable deanery of St. Paul's.

enormous

enormous expence : I should, I believe, be as much puzzled to answer these questions to his satisfaction, as the generality of my countrymen. Mr. Burke, as we have already seen, informs us, that it is necessary that the “ mitred  
“ front should be exalted in courts and par-  
“ liaments ;” and that dignified ecclesiastics,  
“ though deficient in severe virtue, may be  
“ very useful men in the state :” if so, let us pay them as statesmen ; let us fairly acknowledge our church polity to be a mixed system of priest-craft and state-craft, but let not the sacred name of religion be any longer profaned, nor such a heterogeneous composition as our church establishment, be called the church of Christ.

With respect to the inferiour clergy, that part of the national property by which they are supported, is most irregularly and unjustly applied. Some of the livings are worth from twelve to fifteen hundred a year, others only fifty or sixty pounds, and even this property is grasped at by those in higher stations ; our bishops and deans often hold livings with their other preferments\*. Those of the clergy

\* Dr. Horsley, not to mention others, holds a prebend of Gloucester ; and the rectories of South Wield, Essex, and St. Mary, Newington, together with the bishopric of St. Davids.



who have interest sufficient to procure two livings, hold them both together; the consequence of this injustice is, that the clerical duty is performed in various parishes, by curates, who with their wives and families are existing, or rather perishing, while many of the higher orders of ecclesiastics are living in indolence and luxury\*. All these

\* “ In the place where I live (says Sir Brooke Boothby) “ the respectable clergyman, with a numerous family, does “ the duty of a most extensive parish for sixty pounds a year, “ while from the same parish, the dean of Lincoln receives “ a thousand per annum for doing nothing at all.” Letter to Burke. p. 51.—Many of our clergy it is well known have only forty, thirty, twenty pounds a year.

Just as I had written the above, the following advertisement appeared in the papers: it affords a melancholy illustration of the subject.

“ *Corporation Office of the Sons of the Clergy, No. 5, Grays Inn Square.*

“ At a court of assistants of this corporation, held on “ Thursday last, for the election of ten poor curates to receive the donation of *ten pounds each*, given by the will of “ John Stock Esq. deceased, the petitions of *fifty-five* poor “ clergymen were read and considered, and the ten following were admitted to partake of the said charity for the “ present year, &c. &c.”

Do our dignitaries, pluralists, and non-residents, never reflect that there is a day coming when the poor curates whose bread they are eating, will be on a level with themselves, and when a strict account must be given of every act of clerical rapacity? It will then be too late to appeal to the civil magistrate for justification or protection.

abomi-

abominations are annihilated in France, and may they shortly be so in England !

Mr. Burke informs us, that as the clergy are provided for, “ nothing in future of science or erudition can exist in the gallican church.” Men, when under the power of prejudice, are not aware of the injury they often do to the cause they profess to serve. No dissenter ever cast such a calumny on the English church as Mr. B. has in the above assertion ; it is in fact, saying, that neither science or erudition exist among the major part of our clergy ; for the clergy in France are now in a better situation than the majority of their brethren in England. So far from science or erudition (to say nothing of piety) being confined to a few dignitaries, I believe their inferiours will be found to have, at least, their proportionate share.

A FOURTH EXCELLENCE in the reformed church of France, consists, IN THE CARE WHICH IS TAKEN THAT ITS MINISTERS PROPERLY ATTEND TO THE DUTIES OF THEIR RESPECTIVE OFFICES. In the old church, although there was not so much reason to complain of neglect of duty as in some other churches, yet there was certainly *some* reason. It was therefore wise in the Na-

tional Assembly to guard against the evils of pluralities and non-residence ; As to the former, they can have no existence : and as to the latter, it will be the entire fault of the people, in whose hands the power is now lodged, if it is ever suffered. By the decrees of the Assembly, it is expressly ordered—That the law of residence shall be regularly observed, and that all those who shall be invested with any ecclesiastical office or employ, shall submit to it without any exception or distinction. No bishop can absent himself from his diocese more than fifteen days in every year, except in case of necessity, and with the consent of the directory of the department in which his see is established. Neither shall the curés absent themselves from the place of their functions, longer than the time fixed by the bishop, and the directory of the district. The vicars cannot be absent from duty without the consent of the curés. If a bishop or a curé leaves his charge, the municipality of the place are to give notice to the proper officer, who shall admonish such bishop or curé to return to his duty ; if he does not pay a proper attention to the admonition, a second is to be sent



sent him, after which if he neglects to return, the payment of his salary is to be suspended during the time of his absence. If either absents himself for three months, and does not return after the proper notices, his office shall be declared vacant, and the electors shall choose a successor according to the forms prescribed by the law. An exception to the above rules is allowed, where the bishop or curé may be chosen a deputy to the National Assembly. By the above laws the clergy, whatever may be their station, must give attention to the duties of their office, and it rests, as it ought, with the people to enforce that attention\*.

With regard to non-residence and pluralities in the church of England, as no one can possibly vindicate them, (except the non-residence of bishops, who are, obliged to attend their duty, as christian statesmen in the House of Lords) as the best churchmen have warmly exclaimed against them, it is truly matter of astonishment that such scandalous *innovations* should be per-

\* Les decrets, de l'Assemblée Nationale du 12 Juillet 1790. Pour la constitution civile du clergé, et la fixation de son traitement. Titre 4 : De la loi de la residence.

mitted ; they seem however to increase, in proportion as their enormity is seen through. Although I have stated the laws concerning residence in the new church of France, yet I believe in the old church non-residence was a thing not very common, except amongst the bishops ; as to a pluralist, he is a sort of clerical animal, not to be found in any church but that of England. It is shocking to reflect, that even those clergymen who would be thought peculiarly evangelical, can accept of a country living, leave the souls they have solemnly engaged to watch over to the care of a curate, while they are seeking after wealth and popularity in the metropolis. This is sometimes stiled *A call from providence to preach the gospel in a sphere of more extensive usefulness* ; why not honestly say, it is doing evil, that good may come thereby. In the most depraved period of the Jewish church, we read that the prophets prophesied for hire ; but in the Christian church, some of the prophets, though they take the hire, do not prophesy, but procure some poor brother to perform the necessary duty on terms so much lower than the original hire, that the former put the greater part in their own pockets.

What

What can we say to such people? let them hear what some great men whom they profess to respect, say: and then, if they can, let them suffer their consciences to sleep on, and take their rest.

Bishop Burnet, in the work I have already quoted, expresses himself on this subject, as follows: “ I do not enter largely  
 “ into the scandalous practices of non-resi-  
 “ dence and pluralities, which are sheltered  
 “ by so many colours of law among us;  
 “ whereas the church of Rome, from whence  
 “ we had these *and many other* abuses, has  
 “ freed herself from this, under which we  
 “ still labour, to our great and just reproach;  
 “ this is so shameful a profanation of  
 “ holy things, that it ought to be treated  
 “ with detestation and horror. Do such  
 “ men think on the vows they made at their  
 “ ordination, on the rules in the scriptures,  
 “ or on the nature of their function, or that  
 “ it is a care of souls? How long, how long  
 “ shall this be the peculiar disgrace of the  
 “ church, which for aught I know, is the  
 “ only church in the world that tolerates it?

In his Lordship's life, we are informed,  
 “ In the point of residence, he was so strict,  
 “ that he never would permit his own  
 “ chaplains



“ chaplains to attend upon him, after they  
 “ were once preferred to a cure of souls,  
 “ but obliged them to be constantly resi-  
 “ dent at their livings. Whenever non-  
 “ residence was the consequence of a plu-  
 “ rality, he used his utmost endeavours to  
 “ prevent it, and in some cases, even ha-  
 “ zarded a suspension, rather than give in-  
 “ stitution. In his charges to the clergy,  
 “ he exclaimed against pluralities, as a sa-  
 “ crilegious robbery of the revenues of the  
 “ church. In his first visitation, he urged  
 “ the authority of St. Bernard, who being  
 “ consulted by one of his followers, whe-  
 “ ther he might not accept of two bene-  
 “ fices ; replied, “ And how will you be  
 “ able to serve them both ? ‘ I intend (an-  
 “ swered the priest) to officiate in one of  
 “ them by a deputy.’ ‘ Will your deputy  
 “ be damned for you too ? (cried the saint)  
 “ Believe me, you may serve your cure by  
 “ proxy, but you must be damned in per-  
 “ son \*.”

\* “ The above expressions so affected Mr. Kelsey, a  
 “ pious and worthy clergyman, who was present, that he  
 “ immediately resigned the rectory of Bemerton, worth  
 “ two hundred pounds a year, which he then held with  
 “ one of greater value.” Burnet’s History, vol. VI.  
 p. 194. 289.

If

If the hearts of our bishops and clergy are so impenetrable as not to be affected with these considerations, it is high time for the laity to follow the example of the reformers in France, by making the most strict laws to prevent persons in sacred offices from “ Shamefully profaning holy things,” and committing “ Sacrilegious robbery.”

THE FIFTH and the last EXCELLENCE, which I shall mention in the reformed church of France, is, THE TERMS OF ADMISSION into the church. The clergy under the old establishment were obliged to swear not only obedience to the Pope, but to extirpate heretics and heresy by every means in their power. To do them justice, they have generally acted up to the spirit of their engagements. In the new establishment these oaths are abolished, and the terms of admission are plain, simple, and all perhaps, that the National Assembly had a right to impose. Proper methods are taken to prevent ignorant and vicious men from intruding into the sacred offices, but the only profession of faith, required of a bishop or curé is, that he is a member of the Catholic, Apostolic and Roman religion ;

religion; that he will “watch with care  
 “over the souls of the diocess or parish  
 “confided to him; be faithful to the na-  
 “tion, the law, and the king; and maintain  
 “to the utmost of his power the constituti-  
 “on decreed by the National Assembly, and  
 “accepted by the king.” This is the test  
 which Mr. Burke reprobates as so wicked,  
 cruel, and completely abominable. An  
 oath of allegiance to a free government, is  
 to him the greatest of all hardships. When  
 this gentleman again considers the matter,  
 it is to be wished he would look into his  
 own church, as he will there find a *religious*  
 test imposed upon the clergy, which has  
 hurt the consciences, in one way or other,  
 of all who have submitted to it. So far  
 from the terms of admission into the French  
 church being too hard, there are, I believe,  
 few Christians, who will not think them too  
 easy. For myself, I beg leave to say, that  
 after the excellent laws for the regulation  
 of the church, which we have considered;  
 it was wise, just, and equitable to leave the  
 qualifications of the clergy, to be deter-  
 mined by the people who are to choose  
 them. The happy consequence of this will  
 be, that the electors will naturally *think*  
 concerning



concerning religion ; they will choofe fuch minifters as they fhall judge the beft qualified to inftroct them ; and as they are better judges in this important affair than any others can be for them, there is little doubt but they will, by preferving the choice in their own hands, be better ferved than formerly.

Of what ufe national religious tests, creeds, and articles, have been, we are yet to learn ; this I am fure of, all Chriften-dom has reafon to deplore the numberlefs evils they have occafioned. We need not wonder that the French reformers carefully avoided that rock which we in Great Britain, in particular, have fo fatally fplit upon ; I mean, SUBSCRIPTION TO ARTICLES OF RELIGION.

And now, I muft frankly confeß, I feel myfelf much embarrassed. On the one hand, I could wifh to avoid uttering fentiments, and language, which I am fearful will give offence to many I highly efteem. On the other, truth compels me to fpeak freely on a fubject which I am fure is of the laft importance, to the moral and religious interefts of my country.

The

The terms of admission into the church of England, it is well known, are a solemn subscription to the thirty-nine articles, and to the book of common-prayer. The king's declaration, prefixed to the articles, affirms that they contain the true doctrine of the church of England, agreeable to God's word; requires all the clergy to continue in the uniform profession thereof; prohibits the least difference from the said articles; enjoins that no man hereafter shall either print or preach, to draw the article aside any way; but shall submit to it in the plain and full meaning thereof; and that he shall not put his own sense, or comment to be the meaning of the article, but shall take it in the literal and grammatical sense. To make this matter so plain, and explicit, that no one may misunderstand it, every clergyman is required by the act of uniformity, passed in the reign of Charles the Second, to subscribe his unfeigned assent and consent to all and every thing contained in the book of common-prayer, and in the thirty-nine articles, as by law established. Every minister, when he is inducted into a living, is obliged to read all the articles, in the presence of his  
con-

congregation, which he closes with a declaration similar to his subscription.

It is not my intention to enter into a particular examination of the meaning or sense of the articles, or of the sentiments contained in the liturgy. Notwithstanding the numerous volumes which have been written on the subject, I cannot but think they are in general easy to be understood; and that whoever is acquainted with the sentiments of the compilers, as displayed in their writings, cannot, unless he is unduly prejudiced, have much doubt as to what are the genuine doctrines of the church of England.

I beg leave further to premise, if declarations and subscriptions are of greater importance, and ought to be more cautiously entered into on one occasion than another, it should be when religion is concerned: If there are men who are more required to attend not only to the letter, but to the spirit of them, it must be the ministers of the Christian religion: And if there is a period when *they* are more peculiarly called to consider the nature and import of their engagements, it must be at that very important one, when they enter on their sacred

Z

work;



work ; when they declare that they are “inwardly moved by the Holy Ghost.” Prevarication and deceit are justly reckoned some of the worst crimes men can be guilty of. I believe in the common affairs of life, were we to sign our unfeigned assent and consent, to any declaration whatever, and solemnly profess that we approved of all, and every thing contained in it ; were we afterwards to acknowledge that we had not studied its contents ; were we to employ our time and talents in explaining away its meaning, and were we habitually to act diametrically opposite to its engagements ; I believe, under such circumstances, the honest part of mankind would reprobate, in the severest terms, our conduct, and compel us, if we had any regard to our characters, to alter it. Is religion then, let me seriously demand, not only to be turned into a trade, but into the most *dishonest* trade ? Is the church the only place in which men are allowed with impunity, to be open, flagrant, and constant prevaricators ?

Let no one hastily pronounce these remarks, simple and artless as they may appear, entirely useless. Had they suitably impressed the minds of the framers of our ecclesiastical

ecclesiastical establishment, they would never have foisted into the church INNOVATIONS that have produced, and are every day producing, innumerable mischiefs ; and which (while men are resolved to retain their prejudices) God only knows, how they are to be got rid of.

I DECLARE MY UNFEIGNED ASSENT AND CONSENT TO ALL AND EVERY THING CONTAINED IN THE BOOK OF COMMON-PRAYER, AND IN THE ARTICLES OF THE CHURCH OF ENGLAND. This declaration is made and subscribed by every clergyman, and repeated in the course of their lives, by numbers. Let us enquire, as concisely as possible, how it is attended to.

With respect to the clergy in general, it may be affirmed, that the majority subscribe as a matter of course, without any serious reflection ; and that many others make the same subscription, whose consciences are uneasy at the time, but who continue, by some means or other, to pacify them.

Bishop Burnet observes : “ There are  
 “ many things in the church of England,  
 “ that have been very uneasy to me.—The  
 “ requiring subscription to the thirty-nine

“ articles is a great imposition. The *greater*  
 “ *part* subscribe them without ever examin-  
 “ ing them ; and others do it because they  
 “ must do it, though they can hardly sa-  
 “ tisfy their consciences about some things  
 “ in them\*.” Those persons who are  
 best acquainted with our young gentle-  
 men from the universities, will acknow-  
 ledge, that the number of those who  
 thoughtlessly subscribe, is, since the above  
 observations were made, rather encreased  
 than diminished. It is now upwards of one  
 hundred and ~~forty~~<sup>thirty</sup> years since the act of  
 uniformity, which imposes the strict sub-  
 scription, passed the legislature. The num-  
 ber of clergymen in England is about ten  
 thousand. Reckoning a new race every  
 thirty years, upwards of fifty thousand  
 have, since the passing the act, subscribed  
 as required. Twenty-six thousand (the  
 greater part) of these have inconsider-  
 ately entered into the church. We must  
 therefore place the majority of the mini-  
 sters of our established church, in the class  
 of thoughtless prevaricators ; or rather tri-  
 flers, who have been careless whether what

\* Burnet's History of his Own Time, vol. VI. p. 176.

they



they have subscribed is true or false, and who would, with equal facility, have made a direct contrary subscription.

Let us not, however, be severe on this body of men. Their young minds are contaminated, in the very places where they ought to be purified. It is at our universities where their moral sense is blunted: they there lose those distinctions between right and wrong, which are kept up almost every where else. “Members of  
“ colleges in the universities, and of other  
“ ancient foundations, are required to swear  
“ to the observance of their respective sta-  
“ tutes; which observance is become in  
“ some cases unlawful, in others impracti-  
“ cable, in others useless, in others incon-  
“ venient\*.”

Such are the observations of Archdeacon Paley: he follows them with some curious rules, which may be useful to those who wish to learn the art of stretching the conscience. Instead of attending to them, ought we not with earnestness to demand,—Why are oaths forced upon young men,

† Paley's Philosophy, vol. I. p. 215.

candidates for the ministry, which are “un-  
 “lawful, impracticable, useless, and incon-  
 “venient?” Is not this a scandal to our uni-  
 versities; and what can we think of our  
 ecclesiastical rulers, who suffer it to exist?

We will next turn our attention to that  
 part of the clergy, who *think* on the nature  
 of subscriptions, and who have some idea  
 of the sanctity of a ministerial engagement.  
 Amongst these there are many who “sub-  
 “scribe because they must do it, though  
 “they can hardly satisfy their consciences,”  
 that is, they could not otherwise gain ad-  
 mittance into the church. To the uneasy  
 consciences of these gentlemen, I will ven-  
 ture to affirm we are indebted for most of  
 those ingenious apologies, for deceit and  
 prevarication, with which the church has  
 swarmed for a century past. Articles  
 which, during the reigns of Queen Eli-  
 zabeth, James the First, and part of  
 Charles the First, were subscribed but in  
 one sense, the “Plain literal grammatical  
 “sense;” and which for many years after-  
 wards, were subscribed in only two senses,  
 (the Calvinistical and Arminian) were by de-  
 grees found out to contain three, four, five,  
 fix,

fix, and so on, to *thirteen* different senses\*. We will attend to some of the most plausible, and see how far we can reconcile them, I will not say, to that simplicity and godly sincerity, which should dwell in the mind of a Christian minister, but to that common integrity, which almost all men profess to venerate.

Mr. Paley, in his chapter on subscription to articles of faith (which follows very properly, those chapters which treat of *Lies* and *Oaths*) introduces the subject by enquiring, "Who is the imposer of subscription?" To which he replies: "The bishop who receives the subscription is not the imposer, any more than the cryer, of a court, who administers the oath to the jury, and witnesses, is the person that imposes it." This is law: and an admirable salvo it affords to the conscience of a bishop, who, in the solemn business of ordination, when requiring subscription, is only a *common cryer*, to administer the necessary oath; and who need not trouble himself by reflecting whether

\* See them all mentioned in Dr. Priestley's last Letters to Dr. Horsley.



he believes it, or by enquiring if the candidate for the ministry believes it. Honest Mr. Whiston, was of a different opinion; and when he was offered a bishopric, refused it, "Because he must impose the subscription on others." Let our bishops, however, shelter their consciences under the law; and in the mean time, I cannot but wish the people would just turn it in their minds, whether they might not have *clerical criers* to administer the oath, and take the subscriptions of our young clergymen, on rather cheaper terms than at present, especially as the work is so insignificant, and only matter of form.

"The compilers of the thirty-nine articles are not to be considered as the imposers of subscription, any more than the framer or drawer up of a law is the person that enacts it." True; but when the law is enacted by the legislature, we must consider the language of the framers and drawers up, expressed in that law, as containing the sentiments of the legislative body. By the same rule we must consider the language of the compilers of the articles, as containing the sentiments of the legislature which imposed them.

"The

“ The legislature of the 13th Eliz. is the  
 “ imposer, whose intention the subscriber  
 “ is bound to satisfy.” This is not correct.  
 The legislature of the 14th Charles II. is  
 equally the imposer, and the subscriber is  
 bound equally to satisfy the intentions of  
 the latter, as of the former. The words of  
 the subscription, as constantly imposed, are  
 taken from the act of Charles, and not from  
 that of Elizabeth.

“ They who contend that nothing less  
 “ can justify subscription to the thirty-nine  
 “ articles, than the actual belief of each and  
 “ every separate proposition contained in  
 “ them, must suppose, that the legislature  
 “ expected the consent of ten thousand  
 “ men, and that in perpetual succession,  
 “ not to one controverted proposition, but  
 “ to many hundreds. It is difficult to con-  
 “ ceive how this could be expected by any  
 “ who observed the incurable diversity of  
 “ human opinion upon all subjects short of  
 “ demonstration.”

However free we may be to confess, that  
 these observations shew the extreme folly  
 of imposing the belief of “ Many hundreds  
 “ of controverted propositions,” (I sincerely  
 wish, some clergyman of Mr. Paley’s senti-  
 ments

ments had conversed with the imposers) yet we must add, that it was the design of the legislature, however difficult it may be for the Archdeacon to conceive it, that each of the propositions expressed in the articles should be assented to by every clergyman of the established church. Vain as the attempt was, it *was* an attempt to prevent diversity of opinion, and to establish uniformity. To put this matter out of all doubt, the act has made the words of the subscription as strong as they well could be; UNFEIGNED ASSENT AND CONSENT TO ALL AND EVERY THING CONTAINED IN THE BOOK OF COMMON-PRAYER, AND IN THE THIRTY-NINE ARTICLES. To this subscription Mr. Paley has solemnly set his hand. This “unfeigned assent and consent to all “and every thing,” he has publicly declared, in the presence of God, Angels, and Men.

“Subscription to articles of religion,  
 “though no more than a *declaration* of the  
 “subscribers’ assent, may properly enough  
 “be considered in connection with the sub-  
 “ject of oaths, because it is governed by  
 “the same rule of interpretation.” One  
 of these rules, as laid down in the work  
 we



we are now quoting, is as follows: "As  
 " oaths are designed for the security of the  
 " imposer, it is manifest they must be in-  
 " terpreted, and performed *in the sense in*  
 " *which the imposer intends them*; otherwise,  
 " they afford no security to him."

Let us apply this most just rule of interpretation to the subject of subscriptions; for surely the proper application of it will tend to decide the controversy. The design of the imposer was, without a doubt, to establish uniformity in the church, and to preserve it from diversity of opinions. The title of the act, the words of the subscription, the declaration prefixed to the articles, proclaim this design in the most positive manner. The articles and the book of common-prayer must therefore be interpreted agreeable to the sense of the compilers, or which is the same, the sense of the imposers; and till the same authority, an act of parliament, alters the present subscription, it can only admit of the original interpretation.

Our author having given it as his opinion that the imposers of the law did not mean that subscription to the articles should include the actual belief of every proposition contained

contained in them, proceeds to enquire, " If the authours of the law did not intend " this, what did they intend ?" To which he answers " They intended to exclude " from offices in the church, 1. All abettors " of popery. 2. Anabaptists, who were at " that time a powerful party on the conti- " nent. 3. The Puritans, who were hostile " to an episcopal constitution, and in gene- " ral the members of such leading sects or " foreign establishments, as threatened to " overthrow our own. Whoever finds him- " self comprehended within these three de- " scriptions, ought not to subscribe ;" So then, according to this latitude, a clergyman may give his unfeigned assent and consent to the thirty-nine articles, and to all and every thing contained in the book of common prayer, and at the same time disbelieve almost all the doctrines contained in them ; he only means that he is not a Papist, an Anabaptist, a Puritan, or an enemy to an episcopal constitution: can any man honestly believe, that these were the *only* persons intended by the imposers of the subscription, to be prevented from entering into the church? If he can believe this, he may believe any thing. Upon these principles,

Dr.

Dr. Priestley himself, has only to overcome his aversion to the episcopal part of the constitution, and he may, notwithstanding his rooted disbelief of almost every article the church inculcates, subscribe to all, and be one of her very orthodox members. What we should think of the Doctor in such a case, I will not pretend to say, but what he has given us leave to think of him, we may see by referring to the 13th of his letters to the inhabitants of Birmingham, in which he makes use of a word which I do not think proper to repeat.

There are others who subscribe the articles as “articles of peace;” that is, they agree, although they do not believe the major part, not to oppose them. A christian minister thus goes into the church, and satisfies his conscience for having subscribed to what he does not believe, *because* he does not openly declare his unbelief. The doctrines of the church may thus remain a dead letter: whether they are true or false, his hearers may find out as well as they can, for he is totally silent on the subject. Mr. Paley countenances this species of gross prevarication: but when he and other dignitaries of the church, preach peace in this manner



manner to the consciences of their brethren, we may justly reply in the language of the prophet, “ Ye have healed the hurt of the “ daughter of God’s people slightly, saying, “ peace, peace, when there is no peace \*.

Others subscribe with the mental reservation, as far as they are agreeable to the word “ of God ;” that is, they give their unfeigned assent and consent to the whole thirty-nine articles, and if they believe but one, and disbelieve the remaining eight and thirty, as they still believe the whole, so far as they are agreeable to the word of God, their consciences are safe ; and men who thus equivocate, call themselves ministers of the gospel † !

There

\* Every one, says a late bishop of Bristol, (Dr. Conybeare) who subscribes the articles of religion, does thereby engage, not only *not to dispute or contradict them*, but his subscription amounts to an approbation of and an assent to the truth of the doctrines therein contained, in the very sense in which the compilers are supposed to have understood them. Confessional, p. 194.

† In the reign of queen Elizabeth, there was a judgment given in common law, as follows : one Smith subscribed to the articles with this addition, *so far forth as the same were agreeable to the word of God* ; whereupon it was resolved by *Wray, chief justice of the King’s Bench, and all the judges of England,*

There are others who inform us, that by this subscription they do not mean an inward and entire approbation of the sentiments, but only an approbation of *use*: that is, although they disbelieve many of the articles, and disapprove of many parts of the common prayer, they agree to the constant use of both. That legislative authority however, which imposed the subscription, has *twice* expressed its disapprobation of such an equivocating interpretation\*. But if

*England*, that this subscription was not according to the statute of 13 Elizabeth, because the statute required an *absolute* subscription, and this subscription made it *conditional*, and that this act was made for avoiding diversity of opinions, &c. and by this addition, the party might *by his own private opinion*, take some of them to be against the word of God, and by this means diversity of opinions should not be avoided, *which was the scope of the statute*, and the very act itself made touching subscription of none effect. Confessional, p. 169. 2 Edition. It is to be wished that the clergy would again try this method, to see whether the law would allow of their salvos; it would be much better than publishing them in books; but perhaps it might not be *prudent*.

\* “ We the Commons in Parliament assembled, do  
 “ claim, protest, and avow for truth, the SENSE of the ar-  
 “ ticles of religion, which were established by parliament,  
 “ in the 13th year of our late queen Elizabeth, which by  
 “ the public act of the church of England, and by the ge-  
 “ neral and current expositions of the writers of our church,  
 “ have been delivered unto us; and we reject the sense of  
 “ the

if it had not, how is it possible a conscientious clergyman should go on all his life using a liturgy, many of the sentiments of which he disapproves; worshipping Almighty God with his lips, while his heart is not only far from, but averse to the very language he is offering. I will not say, that a minister in the purer ages of the church,

“ the *Jesuits*, and *Arminians*, and all others, wherein they  
“ differ from us.” Confessional, p. 130.

In the year 1663, a bill was brought into the House of Commons, and passed there, entitled “ An act for relief of  
“ such persons, as by sickness or other impediments, were  
“ disabled from subscribing the declaration in the act of  
“ uniformity and explanation of part of the said act.” This bill after being read twice in the House of Lords, was sent to a committee, where the following clause was proposed,  
“ That the declaration of assent and consent in the said act,  
“ shall be understood only as to the practice and obedience  
“ of the said act, and not otherwise.” This clause was agreed to, not without a strong protest. But when the bill thus amended, was sent to the Commons, it was objected to, and after a conference with the House of Lords (in which it was declared by one of the Commons, that the clause had neither justice or prudence in it) that House passed the bill without the clause. Thus it is the declared sense of the legislature, that the unfeigned assent and consent relates not only to the use, but to the inward and entire approbation of all and every thing as expressed in the subscription. Lord’s Journals. Vol. XI. p. 564—579. Commons Journals. Vol. VIII. p. 526—534.

would



would have run the hazard of being turned out of the church for such gross prevarication, but this I will say, that a man who could carry on a similar farce in common life, might think himself well off, if when he was discovered he was not driven from all honest society.

These are some of the ways in which men subscribe to a liturgy, and to articles agreed upon “for avoiding diversities of opinions “and for establishing consent concerning “true religion;” *these* are the methods by which they have chosen to comply with the directions expressed in the declaration prefixed to the articles, “of continuing in the “uniform profession of them, without the “least difference, or varying from them in “the least degree.” *These* are the modes of interpreting them “in the true, usual, “and literal meaning of the words, not putting their own sense or comment upon “the meaning of any article, but taking “them in their literal and grammatical “sense!” *These* are the terms on which many of our celebrated divines hold their preferments. If *These* constitute christianity, may God preserve mankind from embracing it! May infidelity triumph over its

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destruction: No, this is not christianity, but a system "without a name," built upon the ruins of common sense, and common honesty.

We often hear of the enormity of custom-house oaths, but we will not be rigid in our censures on the poor wretches, who on that theatre of mercantile perjury so readily swallow down any thing for money; perhaps they are tolerably versed in some of the explanations which have been adopted by certain divines of the church of England\*.

Dr. Priestley wishes "the experiment was made of making the clergy declare upon their honour, that they believe the arti-

\* The remarks of Dr. Waterland concerning oaths and subscriptions, were never more necessary to be held up than in the present day. "The prevarication of subscribing to forms which men believe not according to the true and proper sense of the words, and the known intent of the imposers and compilers, is in itself a bad thing, and would in time, have a very ill effect on the morals of a nation. IF EITHER STATE OATHS ON THE ONE HAND, OR CHURCH SUBSCRIPTIONS ON THE OTHER, ONCE COME TO BE MADE LIGHT OF, AND SUBTILITIES BE INVENTED TO DEFEND OR PALLIATE SUCH GROSS INSINCERITY, WE MAY BID FAREWELL TO PRINCIPLES, AND RELIGION ITSELF WILL BE LITTLE ELSE BUT DISGUISED ATHEISM!" *Vindication of Christ's Divinity*, Vol. I. Preface.

"cles

“cles as they are required to do, in the ob-  
 “vious, literal, and grammatical sense of  
 “the words, and that they make this decla-  
 “ration as the settled principle and con-  
 “viction of their heart, as they hope for  
 “mercy from the God of truth\*.” I see no  
 kind of use in attempting the experiment.  
 Were men to make such a declaration ten  
 thousand times over, disbelieving at every  
 time the major part of it, if they were not  
 “Papists, Anabaptists, or Puritans,” we find  
 that their minds might be at ease. Even if  
 they were included in these descriptions,  
 they might shelter themselves under the all  
 comprehensive plea, that the observance of  
 subscriptions as well as oaths, in some cases  
 is useless, in others inconvenient, and in  
 others impracticable†.

This subject is the more distressing if we  
 consider, that some of the brightest orna-

\* Familiar Letters, Letter 13th.

† This is too serious a matter for ridicule, or else we  
 might conjecture that the latitude above-mentioned was  
 partly borrowed from the Hudibrastic system of theology.

“He that imposes an oath makes it,

“Not he that for CONVENIENCE takes it:

“Then how can any man be said,

“To break an oath he never made?”

• Hudibras. Part 2. Canto 2.



ments of the church of England have been compelled to shelter themselves, under the miserable subterfuges we have exposed. Bishop Hoadly, Doctors Clarke and Jortin, (not to mention many others) whose sermons, writings, and lives, proclaimed them, in most respects, excellent men, who earnestly desired a reform in the church; were all guilty, of this prevarication. We are likewise compelled, however disagreeable, to apply the same remark to some great men now in the church. Who that has heard the sermons, or read the writings of Doctor Watson, Bishop of Landaff, and has been improved and charmed with those enlightened, liberal, and evangelical sentiments by which they are so eminently distinguished, but must lament that such a man continues the supporter of a church, many of whose articles, though he has often subscribed with his hand, he has often dissented from in his heart. Who that has read the writings, so excellent on various accounts, of Archdeacon Paley, but must equally lament, that any of them should contain such disgraceful sentiments as we have animadverted upon. Never surely were some *of his own* observations more applicable

applicable than on the present occasion.  
 “ Though some purposes of order and tran-  
 “ quillity may be answered by the esta-  
 “ blishment of creeds and confessions, yet  
 “ they are at all times attended with serious  
 “ inconveniences. *They check enquiry; they*  
 “ *violate liberty; THEY ENSNARE THE CON-*  
 “ *SCIENCES OF THE CLERGY BY HOLDING*  
 “ *OUT TEMPTATIONS TO PREVARICATION;*  
 “ however they may express the persuasion,  
 “ or be accommodated to the controversies, or  
 “ to the fears of the age in which they are  
 “ composed, in process of time, and by rea-  
 “ son of the changes which are wont to  
 “ take place in the judgment of mankind  
 “ upon religious subjects, they come at  
 “ length to contradict the actual opinions  
 “ of the church, whose doctrines they pro-  
 “ fess to contain\*.”

Let us now attend to the evidence so far as we have proceeded. We have presumed on good authority, that since the last act of uniformity took place, out of fifty thousand clergymen, twenty-six thousand “ the greater part” have subscribed their unfeigned assent and consent to articles,

\* Principles of Moral and Political Philosophy. Vol. II.  
 p. 320.

without having examined them. We may now add, that on a moderate computation, two thirds of the remainder, that is sixteen thousand, having examined the articles, have under the various *salvos* before-mentioned, subscribed the same unfeigned assent and consent, while at the same time they disbelieved many of the doctrines contained in them.

Melancholy as this subject is to dwell upon (and it cannot be more so to the reader than to the writer) justice requires that we should not yet leave it. Let us now turn our attention to the remainder of the clergy, that is to about a sixth part who have professed at least to subscribe the articles honestly, agreeable to the intention of the compilers. The clergy who compose this class are usually divided into two parties: the Arminian and the Calvinistic. Although, as we have already observed, every article is required to be subscribed in the plain and full meaning thereof, in the literal and grammatical sense; strange to tell it has been for more than a century past, a matter of controversy, what this sense is, and though the compilers of the articles were Calvinists, and a vast majority of the clergy for near a century afterwards



wards were of the same sentiments, yet an almost total revolution has since taken place; a Calvinistic minister is now a rarity in the church; and I believe I may safely affirm, that since the days of good Bishop Beveridge we have had Arminians, Arians, if not Socinians: but not ONE Calvinist on the Episcopal bench\*.

But as it has been matter of dispute whether the articles will bear an Arminian interpretation (although the question should in justice be, whether the compilers meant to allow such a latitude) I shall not debate the matter. Bishop Burnet, one of the best and most honest Arminians, fairly acknowledges in his famous exposition on the much controverted seventeenth article, that the Calvinist subscribes it on the safer side. In such a serious affair, when a minister declares "he is inwardly moved by the holy spirit of God," is it not best to take care to be on the safer side, and if he cannot in making the required declaration, must it not be the most satisfactory to his conscience to decline

\* The late Lord Chatham's description of the church was a very just one. "A Popish liturgy, Calvinistical articles, and an Arminian clergy."

it altogether\*? Leaving this point, I must advert to another, which has been attended with many difficulties among those who are otherwise agreed; I mean the doctrine of the Trinity as explained, I should have said perplexed, in the two creeds; the Nicene and the Athanasian, and in which skilful disputants have found direct contradictions. It is to the latter of those creeds, I shall confine my remarks.

With respect to the creed itself, its very appearance is in a most "questionable shape." If we believe the generality of learned men, it bears a falsehood on the face of it: they inform us it was never written by St. Athanasius, and surely they are right, for no *Saint* could ever have presumed to explain a mysterious doctrine in such a manner as only to involve it in

\* If the reader wishes to see in a small compass what were the sentiments of the compilers of the articles, he has only to read, "The church of England vindicated from the charge of Arminianism," an 8vo. pamphlet; and "Historic Proof of the doctrinal Calvinism of the church of England," 2 vol. 8vo. Both the above works were written by the late learned and ingenious Mr. Toplady, Vicar of Broad Hembury, Devon. It is a pity some friend to the authour's memory does not reprint the latter, leaving out the personal asperities against the late Mr. Wesley.

“darkness visible;” and enjoin the unwavering belief of such an explanation, under the most dreadful denunciations of everlasting damnation. It is not to be wondered at, that our great men in the church have been alarmed at subscribing the creed, and that their consciences, have set their ingenuity to work to help them out of the dilemma of damning those, who in their better judgments, they believe are saved.

Amongst the various champions of orthodoxy in the present day, I believe no one will dispute the zeal of Dr. Horsley, Bishop of St. Davids. (Dr. Priestley’s Bishop) In the former part of a controversy, which has lately engaged the attention of the public, it must be acknowledged, that amidst the hard blows which the prelate gave the philosopher, he still displayed an unusual degree of candour, in expressing his firm opinion that his opponent would finally be saved. This appeared rather extraordinary, as such a declaration was so different from that which he had repeatedly subscribed. He was charged with the inconsistency. His Lordship waxed warm; but after all his episcopal airs, the heretical Doctor at last compelled him to confess, that he disapproved



proved of the damnatory clauses of the Athanasian creed, and that he only subscribed to the doctrine contained in it. In other words, as a divine of his own church will inform him, "By subscribing the whole creed he meant only the *middle* and not *both ends*." To which the same divine adds, "By parity of reason, other men may subscribe to *both ends*, and not to the *middle* \*." Well might a noble authour observe, respecting the bishop's prevarication; "No imposition on the understanding can appear to me to be more gross, than to pretend to support such an extravagance †."

As to the uncharitable clauses of the creed, they seem to have been reprobated by the most eminent men in the church. Chillingworth observes, "That the damning sentences in St. Athanasius's creed,

\* Clergyman's vade mecum, quoted in the Confessional, p. 187.

† It was lucky for the Bishop, that his heterodoxy, was not known till after his preferment. If it had, a certain great *Law Lord* (so remarkable for his *pure orthodoxy, exemplary piety, and christian meekness; and whose speech is always with grace*) might not, perhaps, have been so zealous a friend to this defender of the church, nor so active in his promotion, as report says he was.

" (as

“ (as we are made to subscribe it) are false ;  
 “ and also in a high degree presumptuous  
 “ and schismatical.” “ Indeed,” says bishop  
 Taylor, “ It seems to me very hard, to put  
 “ uncharitableness into the creed, and so  
 “ to make it become as an article of faith ;  
 “ though perhaps, this very thing was no  
 “ faith of Athanasius.” Archbishop Til-  
 lotson wished the church was well rid of  
 the creed \*. Many of our modern dig-  
 nitaries, it is well known, dislike every  
 part of it, and I believe there is hardly  
 a clergyman to be found, who will be bold  
 enough to attempt a vindication of its  
 damnatory sentences : and yet all these men  
 have solemnly subscribed the whole of it,  
 and it is still ordered to be read, thirteen  
 times every year, in every parish church in  
 England and Ireland.

Let us now proceed with our evidence,  
 and as it must be allowed, that the gene-  
 rality of even the serious part of the clergy  
 have subscribed the articles in an Armi-  
 nian sense, we may safely assert that of the

\* Hints, &c. submitted to the serious attention of the  
 clergy, nobility, and gentry, newly associated : said to be  
 written by his Grace the Duke of Grafton. p. 33—34.

class we are now considering (the eight thousand) three parts out of four have *not* made their subscription in the plain, literal, grammatical sense of the compilers; so that the number of clergymen who have subscribed for the last hundred and ~~fifty~~<sup>thirty</sup> years, as originally intended, appears to have been not more than two thousand, out of fifty thousand.

I now beg leave to address for a moment our Calvinistic clergy; those who imagine themselves righteous in this business; who affect to compare themselves with the reformers of the church of England; who profess to subscribe in the fairest and fullest manner, and who are, in their sermons and their writings, unmercifully severe on all their brethern who subscribe differently from themselves. These gentlemen will, I hope, forgive me for asking them: Have you a right to assume such high toned language as you usually do? Do you not appear in the most disadvantageous light when you compare yourselves with the reformers?—Those great and good men, though just ~~im~~<sup>e</sup>merged from the darkness of popery, appear to have possessed souls much superior to yours. Their views were far more elevated.



elevated. They confessed their work was very imperfect ; they lamented they could not go farther ; they hoped their successors would have carried on the great design of reforming the church. Let it never be forgotten, they were *not* the framers of the present subscription ; they never resigned their christian liberty so far as you have ; and we have reason to believe, from the account we have of their sentiments, that were they now living, they would join the Non-conformists in protesting against the present church of England. But gentlemen, the question at present is not, what were the sentiments of the reformers, but what are your own sentiments concerning your subscription ? You have solemnly, in the presence of that God, who searches the heart, and who abhors all prevarication—In the presence of his holy angels—In the face of the church—declared your “ Un-  
 “ feigned assent and consent to *all* and *every*  
 “ *thing* contained in the articles and in the  
 “ book of common-prayer.” Forgive me for presuming to ask you, (or rather for requesting you to ask yourselves) on so very important a subject—Do you unfeignedly give this assent and consent to *all* and *every*  
*thing* ?

*thing?* What, is there *not one* proposition in all the thirty-nine articles—Not *one thing* in the whole book of common-prayer—Not *one sentiment* either in the office of baptism, or in that of visiting the sick, or in the burial service, as it is indiscriminately used—Not *one* apocryphal lesson which you are ordered to read—Not a *single thing* in the whole liturgy which you disapprove, and to which you do not give this assent and consent? Impossible! You must dissent from and disapprove of many things, because you are possessed of common sense, common honesty, and common christianity\*!

Let us now draw the necessary conclusion

\* To expose the errors, which every thoughtful man must acknowledge abound in our articles and liturgy, would require a volume. I shall only glance at a very few.

With respect to the OFFICE OF BAPTISM, it is difficult to say whether, as it is commonly performed, it is more ridiculous, or profane. What is the duty of sponsors, or, as they are called, god-fathers and god-mothers? Dr. Nichols informs us, *that the sureties in baptism religiously engage for the faith of the baptised, that they shall sincerely believe all that is revealed in the gospel, and shall direct the subsequent actions of their lives by the laws of Christ.* Now the least that can be expected of such persons is, that they should take the education of the children for whom

conclusion from the evidence we have produced ; and shocking as it must be to the feelings

whom they are sureties, into their own hands. This, however, is never done ; and was it to be attempted, all prudent parents would soon forbid these sponsors their house. This charge, which in words is so very serious, is in reality, nothing but form. Sometimes the most abandoned profligates stand on the occasion. Sometimes professed infidels engage in the serious work. Many persons take the office upon them, who know that it is impossible ever to fulfil a single duty of it. To render absurdity itself, if possible, still more absurd, these sponsors are often represented by proxies. So that the proxies promise for the sponsors, who promise for the child. Even his MAJESTY, is called from affairs of state, and our gracious QUEEN, from domestic cares ; and his Royal Highness the PRINCE of WALES from his pleasures, to “ promise and vow for the children of our nobility, that “ they shall renounce the devil and all his works, and “ the pomps and vanities of this wicked world.” This is called religion !

In the OFFICE FOR VISITING THE SICK, the absolution is as shocking popery as can be found in the mass-book. Dr. Stebbing in “ His Instructions of a Parish “ Minister,” owns *That the doctrine of sacerdotal absolution has no foundation in Scripture. That the popish form in our office for visiting the sick, the popish form of ordination also, are both novelties unknown to the church for the first thousand years ; and that it is much to be wished they were altered, that dissenters might find less matter for censure, and infidels for profane raillery. Bishop Bull (the Doctor adds) one of the ablest scholars and the staunchest churchmen, and the best Christians*



feelings of every friend to truth or virtue,  
the fact must be declared, that the heavy  
charge

*Christians of his time, when he was on his death-bed, refused to have this form read.*

THE BURIAL SERVICE is, perhaps, one of the finest forms ever composed. I have never heard it read (even in the wretched manner it too often is) without being affected. But such is the strong assurance expressed of the final state of the deceased, that it ought not to be read but over those whose sentiments, and whose lives have proclaimed them to be first rate christians ; and yet let the deceased have been an atheist or an infidel, or a profligate of almost any description ; although there has been no evidence of any alteration of his faith or manners, yet the officiating clergyman, *heartily thanks God for having, in his great mercy, taken to himself the soul of his dear brother, and earnestly prays that HIS soul may rest in Christ, as his hope is this his brother doth.* This practice is justly saty-  
rized in those famous lines written on Bishop Atterbury's reading the service over a profligate infidel Duke of his time, who died in despair.

“ I have no hope—the Duke he cried, and died.

“ In sure and certain hope—the priest replied.

“ Of these two learned peers, I prythee say man,

“ Which was the greatest knave, the priest or layman ?

“ The Duke he dies an infidel confess :

“ He's our dear brother, says the lordly priest.

“ Though infidel, still brother dear he cries,

“ And who dare say the rev'rend prelate lies?”

With respect to the APOCRYPHAL LESSONS, some of  
them



whatever office you may hold in the church,  
from an archbishop to a curate—whatever  
you

“ dates were placed before the communion rail, as it was  
“ capable of holding, the attending chaplain, in a kind of  
“ half-whisper, gave the word of command. *Lay your*  
“ *heads close together.* But as the youths had not been  
“ previously disciplined, they seemed not to understand  
“ what it was that was required of them. The chap-  
“ lain, therefore, assisted in bringing their heads, not with-  
“ out violence, some to the right hand, and some to the  
“ left, into close contact. By which means the bishop,  
“ spreading out the fingers of each hand, touched four  
“ heads at a time: and as he and his chaplain became  
“ more practised, they were sometimes happy enough to  
“ bring three heads into a kind of triangular position, and  
“ so dispatched five, or if they were extraordinary lucky,  
“ six persons at a time. It was, indeed, a most indecent  
“ scene, and I turned from it in disgust.” *An address to*  
*his grace the Archbishop of Canterbury, &c. by a country*  
*clergyman, p. 44—45.*

Although I do not find in the book of common-prayer,  
any service for the CONSECRATION OF CHURCHES AND  
CHURCH YARDS, yet I cannot help saying a word or two  
respecting the latter, as it is by all true churchmen reckon-  
ed an affair of great importance.

It sometimes happens that when a piece of ground is  
chosen by the parish officers, as a burial place, there is a  
strange neglect in not having it consecrated before any bo-  
dies are deposited. I remember this circumstance gave  
great uneasiness in a parish in the west of England. The  
clergy had a vestry summoned, and it was moved that the  
bishop



you call yourselves ; Calvinists or Armini-  
ans, Arians or Socinians, Trinitarians or  
B b 2 Unitarians—

bishop should be sent for to perform the necessary ceremony. One of the church-wardens, with a very serious countenance, addressed the gentlemen assembled to the following purport ; “ Although he was truly concerned that  
“ the remains of any of the parishioners should be deposit-  
“ ed in unholy ground ; yet unfortunately, the parish was  
“ so over-burthened with rates, that if the bishop and his  
“ train of officers were sent for ; an additional rate must  
“ be levied to answer the expence : That in this dilemma  
“ he had thought of a method which he hoped would sa-  
“ tisfy the consciences of his brethren, and at the same  
“ time render a formal consecration unnecessary. He,  
“ therefore proposed to send the sexton to a neighbouring-  
“ church-yard, where he might procure several wheel-  
“ barrows full of *holy mould*, which might be strewed  
“ over the new burying-ground. That he did not  
“ doubt this *holy mould* would soon impart its virtues to  
“ the rest in such a manner, that the whole ground would  
“ be completely consecrated.” This address had the most  
happy effects, in quieting the scrupulous consciences of the  
parishioners ; and they had wit enough to avoid the ex-  
pence of a consecration. I shall expect the thanks of the  
public for the above communication, which I trust, will  
have due weight with those whom it may concern.

When I consider that these, with a variety of other  
ceremonies, which might be mentioned in our church esta-  
blishment, are obstinately persisted in and stiffly contended  
for, under the pretence that all alterations are dangerous to  
church and state, I own I am at a loss which of the an-  
cient

Unitarians — High churchmen, or Low churchmen ; Methodists, Awakened clergy, Gospel preachers, or Rational preachers— If you have declared that you unfeignedly believe what you do not unfeignedly believe, there is one indictment to which you must all plead guilty ; you have entered into the church at that door by which Annanias and Sapphira were turned out ; you are prevaricators in the sight of God ; and as long as you continue in the church, holding any office or emolument whatever, by virtue of a declaration which you do not fully assent to, religious prevarication rests upon your souls !!!

cient philosophers to imitate, *Heraclitus* or *Democritus*, the one who wept, or the other who laughed at the follies of mankind :

“ To laugh were want of decency and grace ;

“ But to be grave exceeds all power of face.”

The whole subject, however, affords a striking comment on a remark of the late Dr. Lardner, upon some passages of an early heathen writer (*Zosimus*) and with which I shall conclude this note : “ We have here another proof that the “ change of religion was continually, upon all occasions “ represented as hazardous to the state : And we may farther observe, that no religion can be so absurd and unreasonable, *especially when it has been established, and of a long “ time*, that will not find men of good abilities, not only “ to palliate and excuse, but also to approve and justify its “ greatest absurdities.

Lardner's Works, vol. IX. p. 58. new edition.

In

In such a deplorable situation surely it would be happy for the clergy could they prevail on the legislature to reverse the subscription, and to let it run, "I do not give my unfeigned assent and consent, &c." There is hardly a man who would not, at once, acknowledge, there were several things in the articles, and in the common-prayer, very objectionable. The clergy might then subscribe *ex animo*, and be easy in their consciences without having recourse to apologies, which I doubt not are in their most serious moments, as unsatisfactory to themselves, as they are to others\*.

And what has the church gained by such a subscription? To overbalance the evils it has occasioned, the advantages ought to be almost infinite. Has it hindered diversity of opinions? No: scarce an error has been broached out of the church, but

\* "If a form of words (says a late dignitary) cannot be agreed upon, which every Christian minister may subscribe willingly, and with a good conscience; let us join in a petition to the legislature, that the expedient proposed not long ago, in one of our monthly pamphlets, may receive the sanction of law; namely, that the affair of subscription should henceforth be considered in no other light, than as *An office of insurance for our respective preferments*. Confessional, p. 201.



has been defended in it. Nay, I will venture to affirm, the ablest attacks on the doctrines of the articles have been made by their sworn defenders. Much as we have heard of the writings of Dr. Priestley, and however sanguine that gentleman may be from the effects of what he calls his "great work," he may be assured, that the arrows which he has levelled against the articles are pointless, compared with the sharper arrows shot from the quivers of some who have been engaged, and liberally paid, for the express purpose of defending them\*.

Has the subscription produced uniformity? Yes; a uniformity of deceit, dissimulation, and prevarication, but no other uniformity whatever. The truth is, however extraordinary it may appear, the dissenters from the church have been the constant, and the best preservers of its most valuable doctrines. A large majority of them have always been, and are still moderate Calvi-

\* Whoever has read the "Essay on Spirit," by Bishop Clayton; "The Confessional," by Archdeacon Blackburne; and "Ben Mordecai's Letters," by Mr. Taylor (the Pluralist) not to mention others, will very readily join me in the above assertion.

nists : so that there has been much more doctrinal uniformity *out* of the church, than *in* it \*.

Were we to take a view of other Protestant churches, we should not find one of them disgraced with a similar subscription. Although we must confess the Presbyterian churches of Scotland, and Holland, are too strict in their subscriptions, yet they are not so unreasonably strict as the church of England ; their ministers are, however, much more uniform in their sentiments, and in their preaching. One reason of this is, the people give themselves so much concern about religion, as not to suffer their pastors to subscribe one set of doctrines, and preach another. Although subscriptions to articles of religion have always done more harm than good, yet those who contend for their imposition, ought to take

\* See this plainly proved in " The Calvinism of the Protestant dissenters asserted," by Mr. S. Palmer. Notwithstanding the complete refutation which the assertions of Bishop Horley have received in this pamphlet, he has not had the honesty to retract them. Mr. Madan, of Birmingham, persists in the same errors, although he has been referred to the same refutation.

care that they answer the intended purpose, and not suffer the subscribers to be orthodox when they enter into the church, and heterodox for ever afterwards. At Geneva, they have abolished subscriptions, and what is very remarkable, this was principally effected by the persuasion of a clergyman of the church of England, Dr. (afterwards bishop) Burnet. “ He employed all the eloquence he was master of, and all the credit he had acquired, to obtain an alteration in this practice [of subscribing]. He represented the folly and ill consequence of subscriptions ; whereby the honestest and worthiest men were frequently reduced to the necessity of quitting their native country, and seeking a subsistence elsewhere ; whilst others of less virtue were induced to submit and comply against their conscience, and even begin their ministry with mental equivocations. The warmth with which he expressed himself on this head, was such ; and such was the weight of his character, that the clergy of Geneva, were afterwards released from these subscriptions \*.

\* Burnet's Own Time, vol. VI. p. 254.



Dr. Burnet argued the more feelingly on this subject, as he had witnessed the fatal effects of the act of uniformity in his own country ; and as it is this act which has done so much mischief in the church, it may not be amiss to hear his sentiments concerning it, by which we may see what sort of men they were, who formed the present subscription, and what spirit they were actuated by. “ All the concern (says “ this writer) that seemed to employ the “ bishops thoughts [who framed it] was, “ not only to make no alteration on the account of the Presbyterians, but to make “ the terms of conformity much stricter “ than they had before the war : so it was “ resolved to maintain conformity to the “ height, and to oblige all persons to subscribe an unfeigned assent and consent to “ all and every particular contained in the “ book of common-prayer.—The act passed “ by no great majority [in the Commons “ the numbers were 186 to 180] and by “ it all who did not conform to the liturgy “ by the twenty-fourth of August, St. “ Bartholomew’s day, in the year 1662, “ were deprived of all ecclesiastical benefices, “ without

“ without leaving any discretionary power  
 “ with the king, in the execution of it, and  
 “ without making provision for the main-  
 “ tenance of those who should be so depriv-  
 “ ed: a severity neither practised by Queen  
 “ Elizabeth, in the enacting her liturgy,  
 “ nor by Cromwell, in ejecting the loyalists,  
 “ in both which a fifth part of the benefice  
 “ was reserved for their subsistence! St.  
 “ Bartholomew’s day was pitched on, that  
 “ if they were then deprived, they should  
 “ lose the profits of the whole year, since  
 “ the tithes are commonly due at Michael-  
 “ mas. The Presbyterians remembered  
 “ what a St. Bartholomew’s had been held  
 “ at Paris, ninety years before, which was  
 “ the day of that massacre, and did not stick  
 “ to compare the one with the other. The  
 “ book of common prayer, with the new  
 “ corrections, was that to which they were  
 “ to subscribe. But the corrections were  
 “ so long preparing, that there were few  
 “ books printed ready for sale when the  
 “ day came. So many that were well af-  
 “ fected to the church, but that made con-  
 “ science of subscribing to a book that they  
 “ had not seen, left their benefices on that  
 “ very

“ very account. Some made a journey to  
 “ London on purpose to see it. With so  
 “ much precipitation was that matter dri-  
 “ ven on, that it seemed expected, that the  
 “ clergy should subscribe implicitly to a  
 “ book that they had never seen. This  
 “ was done by too many, as I was informed  
 “ by some of the bishops. But the Presby-  
 “ terians were now in great difficulties.  
 “ *Calamy* and *Baxter* refused the fees of  
 “ Litchfield and Hereford ; and about two  
 “ thousand of them fell under the parlia-  
 “ mentary deprivation as they gave out.  
 “ This raised a grievous outcry over the na-  
 “ tion. Some few, and but few, of the  
 “ episcopal party were troubled at this se-  
 “ verity, or apprehensive of the very ill  
 “ effects it was like to have. Here were  
 “ many men much valued, who were now  
 “ cast out ignominiously, reduced to great  
 “ poverty, provoked by much spiteful  
 “ usage, and cast upon those popular prac-  
 “ tices that both their principles and their  
 “ circumstances seemed to justify, of form-  
 “ ing separate congregations, and of divert-  
 “ ing men from the public worship, and  
 “ from considering their successors as the  
 “ lawful



“ lawful pastors of those churches in which  
 “ they had served \*

To the Bishop's account I shall only add a remark or two of Mr. Locke, who thus expresses himself. “ Bartholomew day was  
 “ fatal to our church and religion, by  
 “ throwing out a very great number of  
 “ worthy, learned, pious, orthodox divines.  
 “ So great was the zeal in carrying on this  
 “ *church affair*, and so blind the obedience  
 “ required, that if you compute the time  
 “ of passing this act, with that allowed  
 “ for the clergy to subscribe the book of  
 “ *common-prayer* thereby established, you  
 “ will find it could not be printed and dis-  
 “ tributed, so as that *one* man in FORTY  
 “ could have *seen* and *read* the book they did  
 “ so perfectly assent and consent to †.”

Such is the history of the act of uniformity, a compound of folly, wickedness and cruelty, concerted between that perjured profligate papist, Charles the Second, (the most “religious and gracious” head of the church) and the high church party. Can it excite surprise that two thousand

\* Burnet's Own Time, vol. I. p. 265—269.

† Locke's Works, vol. IV. p. 540. edit. 1777.

ministers resigned their livings and employments sooner than comply with its requisitions? Yes, it must excite very great surprise, if the various apologies since adopted are valid. The nonconformist ministers were men of like passions with others, many of them were tempted with offers of high stations in the church; others were in possession of some of the most valuable livings; numbers had large families; but they sacrificed their dearest concerns; they left their all for the sake of religion and a good conscience. These were men of whom it may with perfect truth be said THE WORLD WAS NOT WORTHY. Their example exhibits to mankind a glorious proof of the reality and of the power of pure vital christianity. By stedfastly beholding it we may be preserved from infidelity, more than by the perusal of a thousand treatises\*.

Some of the clergy, particularly those who stile themselves evangelical, affect to consider the scruples of the non-conformists as trifling. "If we agree in the *main points*, why should we differ about little *things*." But is a sacred regard to truth a point of no consequence, and is hypocrisy

\* See their history in Mr. Palmer's Nonconformist's Memorial. 2 Vols. Octavo.

nothing more than a trifle? A popular clergyman of the present day informs us, he has a plan ready drawn up for the conversion of the heathen lands, and which I doubt not he is anxious to put in execution, as he has passed the inexorable sentence of eternal damnation on the whole heathen world, ancient and modern\*. Should his plan be adopted, and should *he* ever visit the heathens, (the inhabitants of Pelew, or the Negroes, for instance) I hope he will say nothing to them concerning ecclesiastical subscriptions, for if he should, there will be great danger of their refusing to attend to any thing concerning christianity. A worthy and amiable friend of this gentleman's, Mr. Newton, when formerly captain of a Guinea trader, charging one of his negroes with a theft, the latter denied it. The master doubting the veracity of his slave, this poor, dark, untutored, uncivilized creature, whom we proud Europeans will hardly admit in the same scale of creation with ourselves, reflect-

\* Haweis's Essays, p. 204.—210. This writer, by taking a few detached passages of Scripture, addressed to persons who are favoured with the Gospel, and applying them to those persons who have never even heard of it; has supported an hypothesis, which is as shocking, and irrational, as it is unscriptural.



ing on what he had witnessed in the conduct of our *religious* slave traders, replied with a look of contempt, *Do you think I am a Christian*\*? A striking lesson of caution to our Christian missionaries, lest they confound the distinctions between truth and falsehood.

After all, it plainly appears that many of the reflecting part of the clergy have not been satisfied with their own conduct. The numerous volumes which have been written to explain the articles in different senses, the various pleas and apologies which have been invented with so much ingenuity, the feeling declaration which some have been known to make, “ that they could not “ afford to keep a conscience,” the resignation of others who could no longer suffer themselves to hold their livings on terms they inwardly disapproved, the unsuccessful attempts of some of the brightest ornaments of the church (our Tillotson’s, Burnet’s, Hoadley’s, and Watson’s) to abolish the subscription—all these circumstances afford the strongest evidence to prove the dissatisfaction which has accompanied the present system. The association of a respectable, though not a large number of the clergy

\* Newton’s Thoughts on the Slave Trade.

a few years since, and their petition to parliament to be released from their subscriptions, shew the uneasiness of their minds in their present situation. It was an attempt to unloose their chains, and to open the doors of their prison-house; their efforts proved fruitless, their petition was rejected. What is the reason that they have made no fresh exertions? Alas! it is too evident: their apartments are handsomely furnished, and their chains are gilded; they are therefore upon the whole willing to remain confined and shackled\*.

Among other reasons assigned by many

\* There is hardly a more distressed situation to be conceived than that of a man agitated between conscience and interest; and when I consider that there are some few of the clergy who are continually struggling between their principles and their livings, I am forced to cry out with the old bard, on another occasion, "Oh Christ, my very heart doth bleed in sorrow for their sake!" In proportion however as I feel compassion for such men, I feel indignation against the high church party, who are so obstinate to retain every thing that is once established. Mr. Burke mentions it as a proof of his consistency that "he opposed those of the church clergy, who petitioned the house to be discharged from their subscriptions," (Appeal p. 33.) We readily grant this is a proof of consistent depravity, but when he glories in such consistency, it farther proves, that the race of men who "glory in their shame" is not yet extinct.

persons

persons for their opposition to the late application, were the following, " That it  
 " carried an imputation of censure on his  
 " grace the Archbishop of Canterbury and  
 " his suffragan bishops, whose principle and  
 " whose desire were to give every possible  
 " ease to all well-grounded scruples of the  
 " clergy and of the people ; that it would  
 " have been brought on more properly, and  
 " might have been expected to be received  
 " by mankind with more cordial effect, if  
 " such a plan had originated from the right  
 " reverend bench\*.

That an attempt to reform the church without waiting for the assistance of archbishops and bishops, implies some kind of censure on their graces and lordships, may perhaps be allowed ; but I will venture to add, that unless this country should be blessed with ecclesiastical rulers, very different from the majority in all ages, the clergy and the laity may wait for a reformation, till the sound of the last trumpet. I should be happy to be informed of any effectual reform in the church, which ever originated from *a right reverend bench*.

\* Hints &c. to the Clergy, Nobility, and Gentry. p. 44.



It would be easy to prove, from a variety of examples, that as the clergy advance in preferment, they decline in their wishes for reformation; Instead of mentioning them, we will hope that it is not so at present. Dr. Yorke, and Dr. Porteous, did honour to themselves, by joining the petitioning clergy in their last application. They have since been advanced, the one to the see of Ely, the other to that of London. We have surely a right to expect, that their zeal for a reform in the church should be more ardent, as their stations are more exalted. Bishop Watson, in every station, has shewn himself such a friend to the desired work, that he will ever deserve the thanks of his country.

Having thus pointed out some of the principal articles of reform which have taken place in the church of France, and having freely expressed my sentiments respecting the present state of the church of England, justice to myself requires that I should say something in order to prevent my being misunderstood by the generality of my readers. I must therefore observe, that what I have said is applicable rather to SYSTEMS than to MEN. When we are talking of persons

persons, or judging of characters, we must take general sentiments and conduct into consideration; and if we properly reflect on the various capacities, situations, educations, prejudices, and temptations of mankind, it is hardly possible we should be too candid or charitable, with respect to persons. I will venture to say, that no man has heard the sermons, or read the writings of some of our dignitaries, and of the inferiour clergy, with greater pleasure than myself: the personal acquaintance I have enjoyed with several of the latter, I shall ever remember with satisfaction; but I hope I shall never forget, that truth ought to predominate over every other consideration. *Amicus Socrates, amicus Plato, sed magis amica Veritas.* Errours should be exposed wherever we find them; and in proportion as they are great and extended, and as they threaten our dearest interests, in that proportion it becomes the duty of every one to expose them, as his situation and circumstances may afford him opportunity.

I now beg leave to request of every one who has seriously attended to the contents of this chapter, to ask himself, ARE THESE THINGS so? If they are, must it not be the duty of

both clergy and laity, and especially of the former, to endeavour to promote a reformation. If any doubt yet remains, I trust it will be removed by attending to the representations, which the clergy themselves give us, of the present state of our religion and morals. I might here appeal to the numerous sermons preached on fast days during the late war, by men of every rank in the church : what a picture do they give of our situation ? I might select passages from various writers in the establishment, which represent in the most dreadful colours, the infidelity, irreligion, and immorality of the age. I shall however content myself with referring to two impartial witnesses, whose representations will, I hope, make the impression they ought, on so important an occasion. The first I shall mention is that excellent prelate Dr. Secker, Archbishop of Canterbury during part of the present reign. He thus expresses himself : “ An open disregard to religion is become, through a variety of unhappy causes, *the distinguishing character of the present age*. This evil is grown to a great height in the metropolis of the nation ; is daily spreading through every part of it ; bringing in such dissolutes

“ luteness



“ lutenefs and contempt of principle in the  
 “ higher part of the world, and fuch profligate  
 “ intemperance and fearleffnefs of committing  
 “ crimes in the lower, as muft if  
 “ this torrent of impiety ftop not, become  
 “ abfolutely fatal: and God knows, fo far  
 “ from ftopping, it receives, through the  
 “ ill defigns of fome and the inconfideratenefs  
 “ of others, continual increafe. Chriftianity  
 “ is now ridiculed and railed at with  
 “ very little referve, and the teachers of it  
 “ without any at all. Difregard to public  
 “ worfhip and instruction hath encreafed:  
 “ many are grown prejudiced againft religion,  
 “ many more indifferent about it. This melancholy  
 “ ftate of things calls loudly upon us, *the clergy*,  
 “ to correct our miftakes, to fupply our deficiencies,  
 “ and earneftly to beg of God, that he would direct  
 “ the hearts of thofe who prefide over the  
 “ public welfare, and humbly to represent  
 “ to them on all fit occafions, the declining  
 “ ftate of religion, and the importance and  
 “ the means of preferving it: THESE THINGS  
 “ ARE UNQUESTIONABLE DUTIES.”

The other witnefs which I fhall produce  
 is Mr. Haweis, the famous Rector of Aldwinckle. He has expreffed his evidence in

such a manner that if it had proceeded from a dissenter, would have occasioned, on account of its severity, much reprehension. It is introduced by "an appeal to the searcher of hearts;" with a declaration, "that it proceeds from present convictions," and that it is "not spoken in a spirit of virulence but of fidelity and love to mankind." "We might appeal (says this clergyman) to proclamations for the notoriety of prevailing dissipation, vice, and profaneness, incompatible with every idea of religion; but he that runs may read it, in every rank of life from the highest to the lowest. The whole head is sick, and the whole heart is faint: from the sole of the foot, even to the head, there is no soundness in it, but wounds, and bruises, and putrifying sores. The body of the nation exhibits the figure of a loathsome carcass, instead of a church walking in the beauty of holiness."

After paying a proper tribute of praise to the domestic virtues of his sovereign, and respectfully suggesting some excellent hints to him as our civil head, and as head of the church, our authour proceeds as follows: "Turn we to the higher ranks of life: it is obvious, not many wise, not many mighty,  
 " not

“ not many noble are called. Pride, ambi-  
 “ tion, wordly pursuits, contests for power,  
 “ or sensual indulgences occupy the great.  
 “ Not that their vices are more or greater  
 “ than those of their inferiours, but they are  
 “ more conspicuous. If forgetfulness of  
 “ God—if the most open disregard of the  
 “ sabbath—if an universal neglect of God’s  
 “ worship public and private—if the utter  
 “ desertion of the table of the Lord—unless,  
 “ HORRIBLE TO TELL, MERELY TO QUALI-  
 “ FY!—If these stamp a character destitute  
 “ of all christianity, what shall we say when  
 “ all the catalogue of prevailing iniquities,  
 “ dissipation, lewdness, luxury, venality,  
 “ with the deluge of evil which rushes on  
 “ every side, shall be added to the account ;  
 “ shall not the camel pass the needle’s eye  
 “ sooner than these into the kingdom of  
 “ God ?

“ The hand of the PRIESTS also hath been  
 “ chief in the transgression. The clergy,  
 “ worldly minded, proud, ambitious, idle,  
 “ ignorant : however learned as philoso-  
 “ phers, linguists, or mathematicians, igno-  
 “ rant of that which is the most valuable  
 “ wisdom, the knowledge of a crucified  
 “ JESUS, and his grace, are the blind leaders



“ of the blind. Are not the herd of dig-  
 “ nitaries the chief stumbling blocks? must  
 “ not their whole pursuits, connections, con-  
 “ duct, convince the very infidel great,  
 “ *whom they fawn upon, and persecute for pre-*  
 “ *ferment*, that, if the systems inculcated in  
 “ the epistles to *Timothy* and *Titus* be true,  
 “ it is impossible these men should believe  
 “ one word of christianity more than them-  
 “ selves\*. Nor are their inferiours dissimi-  
 “ lar; enslaved by the same objects, and oc-  
 “ cupied in the same pursuits, though not  
 “ with the same advantages, commencing  
 “ in those corrupting seminaries, our public

\* “ These were as nearly as I can recollect (says Mr.  
 “ Haweis) the very expressions uttered by a noble lord of  
 “ the most distinguished attainments, natural and acquired,  
 “ in a conversation I once held with him, respecting the  
 “ truth and evidence of christianity.” Who this noble lord  
 was, does not appear, but part of what he said was confirm-  
 ed last sessions of parliament. Dr. B. bishop of Salisbury,  
 in one of the debates, boasting rather too much of his *inde-*  
*pendent* and *disinterested* principles, was answered by the  
 Marquis of Landsdown, that when he (the marquis) was in  
 administration *he was never so persecuted in his life* as for  
 the see of Salisbury, which the *independent* Dr. B. then bi-  
 shop of Landaff, could not be easy without. This succes-  
 four of the apostles has lately been elevated, for the third  
 time, to the see of Durham! “ This is what Mr. Burke  
 “ calls, religion exalting her mitred front in parliament!”

“ schools;

“ schools ; advancing in our grievously neg-  
 “ lected universities, where amidst all the  
 “ circle of the sciences, who ever thought of  
 “ learning the knowledge of a crucified  
 “ JESUS—an idea that would be generally  
 “ scouted—entering into the ministry (I ap-  
 “ peal to the groaning consciences of the  
 “ examining chaplains, if they are men of  
 “ any conscience) how often, ignorant of all  
 “ science, but especially of the doctrines of  
 “ Christ, which they profess to teach—*sub-*  
 “ *scribing articles they have hardly read, never*  
 “ *considered, and generally disbelieve.* Open-  
 “ ing and closing their ministry, without  
 “ being able to produce, or indeed ever ex-  
 “ pecting to see one sinner by their preach-  
 “ ing converted from the evil and error of  
 “ his ways, and brought to the knowledge  
 “ of God’s grace and faith in him ! may it  
 “ not well be said to such in the words of  
 “ the great head of the church, Wo unto  
 “ ye blind guides, how shall ye escape the  
 “ damnation of hell !

“ But are there not some noble excepti-  
 “ ons from the general apostacy ? assuredly,  
 “ and they cannot be hid. They are too  
 “ obnoxious by their fidelity not to bear the  
 “ reproach of that cross, which they dare  
 “ lift

“ lift up against the overflowings of ungod-  
 “ liness ; but too few, and for the most  
 “ part too inferiour in the world’s regard,  
 “ to be of much weight in their estimation  
 “ of men and things.

“ That the body of the people with such  
 “ examples, and such teachers should be  
 “ corrupt, dissipated, debauched, profane,  
 “ intemperate, ignorant, yet infidel, is per-  
 “ fectly natural, and to be expected in the  
 “ course of human events, as we see aw-  
 “ fully verified. And the sight is so glar-  
 “ ing, so shocking, and so evidential of the  
 “ entire want, not only of Christianity, but  
 “ of all religion among us, that those who  
 “ believe little, and practice less, are struck  
 “ with it, and profess to set about attempt-  
 “ ing something called reformation, but  
 “ set about it by means, that must be as  
 “ totally inadequate, as the cause and cure  
 “ of our iniquities are to the reformers  
 “ themselves equally unknown. The wick-  
 “ edness of our populace will receive but  
 “ little check from being taught to read,  
 “ nor will vice and profaneness meet with  
 “ any effectual restraint from a string of  
 “ great names in an advertisement, or a  
 “ conviction before a justice of the peace.”

If



If the above awful representations are just, and I am afraid they are indisputably so, are we not very near the period predicted by Dr. Waterland, when “ We shall “ bid farewell to principles, and religion “ will be little else but DISGUISED ATHEISM.”

The reader will very naturally suppose, after reading Mr. Haweis’s description, that he is a warm friend to the reformation of our church establishment ; that at least like the good Archbishop, he would think it an unquestionable duty to join with his brethren, in representing to those in power our sad situation, and entreating that they would take it into consideration. Nothing of this appears in his whole performance ; on the contrary, he contents himself with giving a little superficial advice, and then boldly declares that he is an enemy to any alterations. “ We can hardly desire a “ change in the church *whatever imperfec-* “ *tions may be chargeable upon it.* All hu- “ man institutions will be imperfect. Al- “ terations are dangerous.” All the cor-ruptions of the system are therefore to be carefully preserved. Surely never was language so contradictory : never was such an instance of high church prejudice, con-  
quering

quering and murdering the convictions of conscience\*.

It is not, however, by thus palliating that any good can be done. Would the clergy convince mankind that they believe Christianity themselves—Do not be offended, gentlemen, that I thus earnestly address you—Would you persuade men—That religion is not a dream—That the Bible is not a fable—That salvation is not a jest—That death, judgment, heaven, hell, eternity, are not trifles to be ridiculed—In the name of all these sacred realities, we conjure you to endeavour seriously to obtain a reformation of the church, and the removal of, at least, some of the abominable innovations we have mentioned. Should you, on the contrary, resolve to be indolent, and obstinate—“ If you  
 “ hate reformation, and depreciate and  
 “ persecute those who would reform you—  
 “ If you misrepresent peaceable subjects,  
 “ taxing them with heresy, schism, and re-  
 “ publicanism, and strive to render their  
 “ loyalty to the crown, and their love to  
 “ the constitution doubtful;—If all your  
 “ study is to make a fair shew in the flesh,

\* Haweis's Essays, p. 182—192. 283.

“ —Know of a truth, the time will come,  
 “ when your civil governors will see it as  
 “ necessary to reform your reformation, as  
 “ their ancestors did to reform the religion  
 “ of your predecessors. Till then, although  
 “ the religion of pious spectators will not  
 “ suffer them to hurt a hair of your head,  
 “ yet the same religion will oblige them  
 “ to say of you—These evil men talk of  
 “ light, while their feet are stumbling on  
 “ dark mountains. Your country, and the  
 “ remains of your own consciences, the li-  
 “ beralities of your prince; the tears of  
 “ your brethren; the ashes of Burnets,  
 “ and Hoadlys, and Lardners; the just  
 “ judgments of heaven on degenerate priests,  
 “ and incorrigible nations; all call you to  
 “ your duty, and warn you of the danger  
 “ of falling into the hands of an angry  
 “ God. If you will not hear, our souls  
 “ shall weep in secret places for your igno-  
 “ rance and pride.”



## CHAPTER THE FOURTH.

*Thoughts on Toleration—Its Progress, Establishment, and Effects in France—State of Toleration in England--Historic Sketch of the Temper and Conduct of the established Church towards Protestant Dissenters—Remarks on the late unsuccessful Attempts to procure the Repeal of the Corporation and Test Acts, and other Penal Laws—Exhortation to all Sects and Parties cordially to unite in their endeavours for a more complete Toleration.*

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THE word TOLERATION will admit of various senses. In its primary sense it is of general import, and signifies, “To allow so as not to hinder.” Mr. Locke applies it to different religions or sects, and asserts that the civil magistrate ought not to interfere by giving the professors of one religion, or the followers of one sect, any preference or advantage over the other. He defines religious toleration, in its most complete and perfect sense, to be *Absolute liberty, just and true liberty, equal and impartial liberty*. This, he adds, is the thing we stand in need of. Whether this definition is

is

is strictly accurate, I shall not pretend to determine. Certain it is that such toleration, such liberty, cannot exist under any civil religious establishment whatever, because if the magistrate has a right to impose an establishment, he must have a right to demand such support for it as he may think necessary. And this must be the case even where establishments are formed upon the most liberal principles possible. Thus, for instance, in some of the American states; a tax is levied upon the inhabitants for the general support of religion: Each house-keeper is equitably assessed. The collector of the tax goes round with a register of the names of the different religious sects professed in the country, and each person, after paying his quota, subscribes to the support of whatever sect he pleases. The same may be observed with respect to France, where no individual is called upon for the support of any religion, but the establishment is supported out of the common national stock; and the ministers, as we have already seen, are paid like other servants of the state.

But under both these establishments there may exist persons who have their own peculiar

liar sentiments, and who do not choose to contribute towards the support of any sect whatever. One, perhaps, may follow the custom of the patriarchs, and with his family, and a few select friends, offer up his worship in yonder shady grove, under the canopy of heaven. Another, like the Persian, may at the dawn of day ascend a neighbouring mountain, and adore the rising sun. Whatever may be their different mistakes, "To their own master they stand or fall," and the civil magistrate, in compelling either to contribute, in any way, to the support of a system of religion he may not approve, certainly infringes, in some degree, upon that absolute liberty, that perfect toleration, which is the natural right, the birth right of all men. The happy period is not yet arrived, in which this right is enjoyed in any part of the Christian world, in that full and complete extent we have defined it\*.

#### TOLERATION

\* Bishop Horsley, who reasons more consistently, as a churchman, than most of his brethren, observes; "That  
 " the right of private judgment in the extent in which it  
 " is claimed, and exercised [he should rather have said,  
 " wished to be exercised] by some of the modern noncon-  
 " formists, is a position to be denied. It is not acknow-  
 " ledged



TOLERATION may be considered in a more limited sense ; and may be termed, " Allowance given to that which is not " fully approved." That is, the civil magistrate, or the supreme power, after having provided an establishment for the community in general, allows, under certain

" ledged in any such extent by the church of England, " nor by the Calvinistic churches of Scotland, Holland, " or Geneva. It is not acknowledged by the episcopal " church [nor any other church] of America. Nor can " it be acknowledged without restriction, more or less, by " any established church in christendom." The Bishop adds, " It becomes the friends of peace and order in church " and state, whenever this universal acknowledgment of " the right of private judgment is pretended, to protest " loudly against it." *Review of the Case of the Protestant Dissenters*, p. 24. 25.

I confess I know not how any friend to religious establishments can consistently answer these arguments. The sensible and ingenious authour of " *Essays Philosophical, " Historical, and Literary*," who, though a Dissenter, and a firm friend to civil and religious liberty, still pleads for religious establishments, seems puzzled with the sentiments of the Bishop, which he rather evades than answers, and has thus rendered his victory less complete than it would otherwise have been. The truth is, that as there never was, since the introduction of christianity, a religious establishment which did not in some measure infringe upon the right of private judgment, so I believe it is impossible there ever should be one, or at least, that it should be of any long continuance.

D d

conditions,

conditions, those who dissent from it, to enjoy their own opinions, and follow their own mode of worship. This toleration is enjoyed in various degrees in different countries. Under most of the Presbyterian establishments, toleration is, to a considerable extent, established by law. And although the members of such establishments are, in general, obliged to comply with the rules laid down in them; yet those who dissent may follow that mode of worship they think proper, and experience little restraint, either in their religious, or in their civil rights.

In England, it is difficult to apply the word toleration, with any degree of precision. Englishmen are surely, in this respect, the most inconsistent mortals on the face of the earth. Our church, as by law established, is more intolerant than any of the reformed, and almost equally intolerant with any of the Catholic churches. Her ministers in particular, by their subscriptions, and by their oaths of canonical obedience, are confined more strictly than those of any other establishment. But if we look at *fact*, instead of *law*, their situation is completely reversed, and no men in the world range with a greater licence. They preach  
and

and print, and act as they please, and scarce any notice is taken of them. There are likewise many laws that oppress the lay members of the church, but which, though continually violated, are seldom executed. We may, therefore, call the church of England, with respect to her own members, the most tolerant, the most intolerant, or the most inconsistent, which ever we think proper.

The same inconsistency is applicable to her conduct towards dissenters: she has persuaded the supreme power, at various periods to enact penal laws, by which they have been cruelly harassed and persecuted. Some of those laws are repealed, and dissenters are now so far legally tolerated, that they may worship God agreeable to the dictates of their consciences, none daring to molest them. But still there are various laws in existence, which not only deprive them of their rights as men, and as citizens, but prohibit them from publishing their opinions as Christians. But what is very extraordinary, though all these laws are obstinately contended for, most of them are very seldom, and some of them never executed. The reader must not, therefore, be displeased with me for not giving him an accurate account of our situation as it



respects toleration. Our whole system is a strange medley of PERSECUTION, TOLERATION, CONNIVANCE, any thing that men may please to call it.

TOLERATION, or “ Allowance to what is not fully approved,” may be enjoyed in a more extensive degree ; so extensive, that it may nearly approach to that perfect liberty we have before mentioned. This is the case when an establishment is formed upon the most equitable principles possible ; in which the means of instruction are adapted to answer the end, at the least expence to the community ; and when all those who dissent from it, have not only the undisturbed enjoyment of their opinions and worship, but likewise, all the rights and privileges of citizens, equally with their conforming brethren. Such an establishment is what many dissenters, and some few of our most moderate churchmen, now plead for. Mr. Paley has argued, much to his honour, in favour of such an establishment in this country. His liberality to dissenters ought not to pass unnoticed. “ I perceive no reason, says the Archdeacon, “ why men of different religious persuasions may not sit upon the same bench, deliberate in the same council,

“ council, or fight in the same ranks, as  
 “ well as men of various, or opposite opi-  
 “ nions, upon any controverted topic of  
 “ natural philosophy, history, or ethics \*.”

TOLERATION, IN THIS ENLARGED SENSE, is now established in France. With a church formed, as we have seen, on the principles of moderation, equity, and justice, a system of toleration the most perfect which can probably exist under any national church, is now established. Men of all sects and parties are brethren and fellow-citizens, they have equal rights, and enjoy equally the privileges of civil society.

It is not my intention to enter, under this particular, into any vindication of the proceedings of the National Assembly. Those Christians (I am not now addressing mere statesmen) who affect to reprobate such proceedings, or who deprecate our imitating them ; who plead for persecuting, or penal laws, and who wish to exclude all dissenters from the established church, from many of the common rights of society, must forgive me for harbouring a suspicion of their sincerity. You plead for penal laws,

\* Paley's Philosophy, vol. II. p. 339.

you represent them as necessary for the preservation of church and state. Why then, let me seriously ask, do you not put them in execution? You know these laws are continually violated, and you suffer them to be violated with impunity. We will suppose the best reason possible for your conduct: We will indulge the hope that your hearts revolt at your own arguments. You plead for penal laws; but would you plead for similar laws in any country where your own church is not established? “Thou art a Christian, and  
 “believest that Jesus Christ was sent from  
 “God, and that there is no other name by  
 “which men can be saved:—Go, and pro-  
 “fess this thy belief at Pekin or Constan-  
 “tinople, and being there spurned with  
 “contempt, and excluded from all civil  
 “trust and authority, for not admitting the  
 “divine missions of Confucius or Mahomet,  
 “think whether thou wilt not have reason  
 “to accuse the ruling powers in those im-  
 “mense empires of injustice \*?” When thou hast *thought*, then, if thy conscience

\* Bishop of Landaff's late Charge to the Clergy of his Diocese.



wilt suffer thee, plead for statutes which thou wouldest not scruple to exclaim against, in any country but thine own, as unjust and tyrannical. “As ye would that men should do unto you, do ye also unto them.”

Instead therefore of defending the principles of toleration, I shall enter upon the more pleasing task of describing their progress. I shall give some account of the proceedings of the National Assembly; and shall shew the happy effects that have already resulted from that almost perfect system, which in France has been adopted.

Was I to do justice to my subject, I should present to my readers a short history of the church of France, preceding the revolution\*. But I have no inclination to ran-

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\* See a concise account of the persecutions in France, in the preface to the first volume of the English translation of Saurin's sermons. Several of my readers will doubtless recollect, many affecting allusions to the sufferings of the Protestants, in those celebrated discourses. How would that great and good man above mentioned have rejoiced to have witnessed the late revolution.

I cannot here help noticing Mr. Burke's apology for the old church of France; it is truly curious. “If the old persecutors drove people from one religion, they provided for them another, in which men might take refuge and expect

sack the dark, the black, the bloody records of ecclesiastical villainy. When a church ceases to persecute, we had better almost forget that she has persecuted. The only use we ought to make of her former crimes, should be to prevent their repetition, by destroying the principles which gave them birth. If I therefore say that the Gallican church was formerly a den of persecutors, it is only to excite the greater admiration of my countrymen towards the French nation, and their warmer gratitude to that Godlike assembly, THE FIRST IN EUROPE, which has exalted toleration to its present height of glory.

Upon such a topic, I lament I cannot sufficiently express my feelings: I must borrow the language of one of those extraordinary men, who seems to have been endowed with an Angelic intelligence, who in

“pest consolation.” (Appeal p. 11.) Surely no persecutor was ever guilty of such insulting cruelty as to say to a man, I have pillaged, plundered, and ruined you: and now if you will forsake your own religion, you may accept of one, in which, although you are persuaded it abounds with idolatry, and wickedness, you may take refuge and expect consolation. Mr. B. ought to have been a member of the holy inquisition; his ingenuity might then have been exercised in refining on the art of torture.

prose

prose as well as in poetry ranged "beyond  
 "the visible diurnal sphere," and who one  
 would imagine foresaw not only the revolution  
 which has recently taken place, but  
 the surprize and dismay which it excites in  
 surrounding nations. "Methinks (says the  
 "great Milton) I see in my mind a noble  
 "and puissant nation rousing herself like a  
 "strong man after sleep, and shaking her  
 "invincible locks: methinks I see her as an  
 "eagle mewing her mighty youth, and kind-  
 "ling her undazzled eyes at the full mid-  
 "day beam; unscaling her long abused  
 "flight at the fountain itself of heavenly  
 "radiance; while the whole noise of timo-  
 "rous and flocking birds, with those also  
 "that love the twilight, flutter about ama-  
 "zed at what she means, and in their envi-  
 "ous gabble, prognosticate nothing but sects  
 "and schisms\*."

There were, previous to the revolution,  
 some symptoms which shewed that the  
 French nation was awaking from her long  
 sleep. The king had advanced Mr. Neckar,  
 a Protestant, to the first place in adminis-

\* Milton's *Areopagitica*. A new edition of this work  
 has been lately published in 12mo. by Dilly.

tration.



tration. Although the Protestants had no legal toleration, and it was unsafe for them to assemble for religious worship, yet in the year 1787 some civil privileges were granted them. An edict was issued declaring that they might enjoy legal marriage and burial; privileges which they had been deprived of for more than a century past.

Amongst other means which have been useful in opening the eyes of the people in general, the various writings of different nations and parties may be mentioned. Although the press was under severe restrictions, it was impossible to prevent the publication of any sort of writings whatever. The sermons of our best English divines, together with those of the French refugees, were to be found in every library worthy of notice. The discourses of Saurin were almost as popular as those of the most celebrated French preachers: but it was not only, or perhaps principally, by such writings that France was illuminated. Providence has made use of very different means for this purpose. The works of Hume (which have been much read in France) Voltaire, Rousseau, not to mention many others, enemies to christianity, have been of essential service in promoting the welfare of  
a cause

a cause they meant to destroy. They have cleared away that superstition and bigotry, those loads of rubbish which blocked up the path, the only one by which men can ever arrive at the best knowledge of every kind ; free and impartial examination. It is true these writings contain many extravagant as well as wicked positions, but the great physician of the moral world, like a skilful physician in the natural, frequently makes use of poisons, and in his infinite wisdom causes them to administer to the health of a whole nation.

The French people being thus prepared, we find the National Assembly at the commencement of their proceedings, discovering those sentiments which have done them so much honour. In the first part of their constitution, the declaration of rights, we read the following article ; “ No person shall be  
“ molested for his opinions, even such as are  
“ religious, provided that the manifestation  
“ of those opinions does not disturb the pub-  
“ lic order established by the law \*.”

It has been observed by many, that this article was not so explicit as it ought to have been ; and it must be acknowledged that it

\* Constitution, p. 20

is liable to misinterpretation. As it has however been explained by various decrees, and by constant practice, it has been thus universally understood ; that every man has a right to his own opinions, to express them in whatever manner he pleases, and to follow that mode of worship he is inclined to, without any other limitation, than that he does not by any overt act, infringe upon the rights and privileges of his fellow citizens, as by law established.

I cannot but here take notice of a circumstance that occurred in the debate on the above article, which serves to illustrate the disposition of the French on this subject. When Monf. Rabaud de St. Etienne, in an admirable speech in favour of complete toleration, mentioned that he was instructed to ask for an impartial code, or as he explained it, for universal liberty of conscience ; " WE HAVE THE SAME INSTRUCTIONS," was the general exclamation. Such was the liberal disposition of the constituents, and of the representatives of the French empire.

This toleration does not extend merely to Protestants, as they are termed. All sects and parties, whatever may be their opinions, or whatever worship they may perform,



perform, are equally included. Even the poor despised seed of Abraham, those outcasts from society, who have been universally degraded and pillaged, are for the first time, in a Christian country, acknowledged and received as brethren. It requires little penetration to foretel, that by thus being raised to an equality with the rest of the community, they will become equally respectable. If there are any persons in this country who are inclined to be severe on the Jews, on account of that conduct which it must be confessed has too often distinguished them, let such persons only reflect in what manner they (the Jews) have been treated. If *we* act injuriously to our fellow-creatures, can we wonder if they act in a similar manner to *us* in return? Let us behave honourably, and restore to men their rights, for that is the best way to make them honourable in society \*.

This toleration does not merely relate to opinions or worship. The different sects

\* See the Abbé Gregoire's excellent dissertation concerning the Jews, of which a translation has been lately published.

of dissenters from the established church are not insultingly told, " You may worship God as you please, but you shall not be admitted to offices of trust, without publicly deserting your principles." No; this toleration runs through all the different departments of political and civil society. The constitution knows no religious opinions. All men are citizens. " All citizens being equal in the eye of the law, are equally admissible to public honour, places, and offices, according to their capacity, and without any other distinction but that of their virtue, and of their talents \*." In the primary and electoral assemblies, in the municipalities and departments, in the National Assembly, in the various branches of administration, yea, on the Throne itself, no religious distinctions are looked for.

It was the admirable language of a Roman Catholic bishop in the National Assembly ; *God is the sole judge of conscience.* EVERY MAN *has a right to his religious opinions, and to profess them in whatever manner he pleases.* IF THE KING WAS TO DECLARE HIMSELF A

\* Constitution, p. 19.

PROTESTANT, HE HAS AN EQUAL RIGHT SO TO DO WITH ANY OF THE CITIZENS. Hear this! ye bishops and ecclesiastics, friends to penal laws in other countries:

“Ye lesser stars, hide your diminished heads!”

Such is the extent of toleration in France, that country which in this respect, as well as so many others, has set such a glorious example to surrounding empires.

I shall now proceed to consider some of the effects which have already, in the short compass of two years, resulted from such a liberal and enlarged system.

The FIRST PRIVILEGE which the dissenters from the established church have been eager to embrace is, THE PUBLIC PROFESSION OF THEIR RELIGION. In the growing neglect of public worship in this country, proceeding from a variety of unhappy causes, this privilege may by many, be lightly esteemed. Those also, who attend divine service, principally from education or custom, cannot form any proper estimation of what affords them so little pleasure. But those happy few, who find in the service of their  
God,



God, duty and privilege equally united, need not be told how great the blessing is of religious assemblies. To such persons I shall make no apology for giving rather a minute account, of the opening of one or two places of worship in a country, which previous to the revolution, suffered no religion but what was established.

The first church which I shall notice, is that which was opened at Dunkirk, an account of which, although it has already appeared in one of our public prints, is too valuable, not to be still more extensively circulated. The writer thus expresses himself: “ We now begin to enjoy the best  
 “ benefits of the new constitution, in the  
 “ exercise of our own worship. On Sun-  
 “ day last an English Protestant church was  
 “ opened here, an object that has been  
 “ long in contemplation, but never before  
 “ accomplished. The number of Protest-  
 “ ants in this place is very great, the  
 “ church was so full, that many stood  
 “ in the passage throughout the service,  
 “ while others returned for want of room.  
 “ We have every appearance of forming a  
 “ large and respectable society, for the plan  
 “ that

“ that is adopted has in view the union of  
 “ all Protestants ; Episcopalian, Presbyteri-  
 “ ans, or other dissenters. The church of  
 “ England service is made use of, reformed  
 “ upon the plan of the late Dr. Clarke, Rec-  
 “ tor of St. James’s, in which the excep-  
 “ tionable passages of the common-prayer  
 “ are omitted. It is a plan that gives ge-  
 “ neral satisfaction, and many of all parties  
 “ interest themselves greatly in the cause.  
 “ The National Assembly has provided very  
 “ generously for those who dissent from the  
 “ established church. All sects have the  
 “ liberty of conducting baptisms, marri-  
 “ ages, and burials according to their own  
 “ forms, and a register of them is kept in  
 “ the chamber of the tribunal \*.”

In the same town another church has  
 been opened by a clergyman, of the church  
 of England, in which the common service  
 is used. A mistake was, however, made  
 which, as it was the first of the kind, in  
 France, I wish it may be the last. The  
 minister, unluckily, brought over some  
 of his high church prejudices with him,  
 and attempted to sow his tares amongst the

\* Extract of a Letter from Dunkirk, dated August 10.  
 1791.

wheat, by urging some of the congregation not to be married by their own minister, *Because he was not ordained by a bishop*. This *wise* admonition was treated as it deserved, and served only to create a smile. I have thought it right to mention this circumstance, as I am a most sincere friend to the spread of Christianity, under any of its forms. Any thing of religion is better than indolence, vice, and that stupidest of all stupid ignorance, attachment to prejudices *because* they are prejudices. With my best wishes, therefore, of success to any of the clergy of the church of England, who may endeavour to spread the reformed religion in France, I have only to express my hope, that they will carefully avoid the blunder of their *Dunkirk* brother.

In the same town there are a number of Quakers, who have lately opened a place for religious worship, which I am informed is respectably attended.

At Bologne *sur la mer*, an English church has lately been opened: the minister preached his first sermon from those apposite words in Revelations, chapter iii. verse 8. "Behold I have set before thee an open door, and no man can shut it."

I shall



I shall here stop my account of English churches. These instances are sufficient to shew the happy effects of toleration, as it relates to Englishmen who are already settled, or who may settle in France at any future period.

But the natives of the country are more particularly interested on this occasion. Although it is a trite observation, yet it can never be too often repeated, that persecuting or penal laws never answer the end. Notwithstanding the violent measures formerly pursued to suppress the French Protestants, it is a fact, that they never effected the designed purpose. There are great numbers all over the kingdom, and the department of *Languedoc*, one of the most flourishing, contains upwards of one hundred and twenty thousand. These are the persons who more sensibly feel the blessing of toleration. The account of the opening of one of the French churches in the capital, of which I was a witness, will be sufficient to serve as a specimen for the rest.

Amongst the various reforms which have been made in the religious establishment, is that of reducing the number of parishes, consequently of churches. Every body

knows that in the Catholic countries, there are numbers of churches more than are necessary. At Paris, there are eighteen which have been shut up, and advertised either for sale, or hire, to any religious community. The Protestants at Paris, as soon as toleration was granted them, lost no time in assembling themselves together ; their first meetings were held in a spacious room in one of the hotels ; this was found too small ; as soon therefore as the churches were to be disposed of, they hired one for their greater convenience, and for conducting their worship in a more public manner. The church fixed upon, was that of *St. Louis de Louvre*, a handsome oval building, formerly used by Louis the Fourteenth, and situated close to the palace of the Tuilleries, as well as to that of which it bears the name. A few days previous to its being opened, notice was given to the department, who issued proclamations to the people, exhorting them to conduct themselves like citizens of a free and enlightened nation. In this proclamation it was asserted, that the liberty now granted to the Protestants was not a matter of favour, it was only the restoration of a right of which they

they had been long deprived. As this, however, was the first time of an assembly of Protestants meeting for public worship, for this century past, and as their place of meeting was a church which had been uniformly devoted to the established service, it was thought proper to order a detachment of the national guards to prevent any disturbance; a precaution, which though prudent, was afterwards found unnecessary \*. It was Sunday the twenty-second of May, which was devoted to this triumph of reason, philosophy, liberty, and religion.

Previous to my entering the church, I observed the following inscriptions on the front of it.

*L'an de Jesus Christ 1791. Le second de la liberté.  
Edifice consacré a un culte religieux, par une société particulière*

PAIX ET LIBERTÉ †.

On entering the church, I perceived that piety and prudence had united to prepare the place suitable for the audience. The

\* How would our populace in many parts of the kingdom behave, were the churches to be let to the Presbyterians?

† The two latter sentences are ordered to be placed on the front of every church which is not of the establishment.



pictures, with other instruments of idolatry had been removed, but their vacancies were all filled with something useful and edifying. Over the main altar were placed *The ten commandments of God\**; and in different parts the *Lord's prayer*, the *Apostle's creed*, the *Declaration of the rights of man*, and the *Duties of the citizen*. I had taken my station only a few minutes, before the church (which conveniently holds about seven hundred people) was completely crowded. I was afterwards informed, many hundreds went away, who were not able to gain admittance.

It may not, perhaps, be useless to inform some of my readers, that the manner in which the French Protestants conduct their

\* I cannot but notice this circumstance of placing the commandments with the above title, and hope the example will be followed in every Protestant church in a Catholic country. It is shocking to observe, that the practice of altering the decalogue is still continued in many countries. I have now by me two catechisms, which I purchased in the Austrian Netherlands, printed by the authority of the Archbishop of Mecklin, in one of which the second commandment is strangely mutilated, and in the other entirely left out. The ninth commandment being divided, makes up the number. This is one instance amongst hundreds, of the *honest* treatment men meet with, when they resign their understandings to PRIESTS.

worship,

worship, is something between that of the members of the establishment, and the dissenters in this country, and what some may think an improvement on both. They have their liturgy, containing services for the offices of baptism, marriage, &c. and various forms of prayer, but they are by no means confined to them. Their confession of faith, and catechism are calvinistical, and the French Protestants have in general been, what are called *moderate Calvinists*. The first part of the service (performed by the clerk) consisted in reading the Scriptures, and in singing, the latter accompanied by the organ. The eighth chapter of the first book of Kings, and the second chapter of St. Luke, were among other portions of Scripture read; and the eighty-fourth and the hundred and twenty-second psalms were sung on the occasion. A circumstance, which though many may think trifling, gave me so much pleasure that I cannot help mentioning it. It being the first time of assembling in this public manner, there was a scarcity of psalm books. I perceived many lending their books to others, at the same time without inconvenience to themselves. They had the psalms perfect in their

hearts, and sang them with their lips, without difficulty. Many I doubt not, then present, had made the Psalms of David their songs in the house of their pilgrimage. The ten commandments were read, during which the minister (Mons. Marron) ascended the pulpit. After singing another psalm, he offered up a prayer expressive of gratitude to the Deity for the mercies then vouchsafed, and entreating his presence and blessing. The sermon was then preached from Romans, chapter xiii. verse 12. *The night is far spent, the day is at hand: let us, therefore, cast off the works of darkness, and let us put on the armour of light.* Instead of entering into the particulars of the discourse, I shall only observe that the occasion was great, and the preacher well qualified to improve it. He shewed himself the philosopher, the patriot, the orator, and the Christian. After the sermon, which lasted upwards of an hour (I believe every hearer thought it a short one) followed what is called the long prayer, in which the minister, after again expressing the most grateful praises and thanksgivings to God for the peculiar favours of the day, poured forth the most earnest petitions for the welfare



welfare and prosperity of the French empire ; for the National Assembly ; for the King, the Queen ; the departments ; the municipalities ; the citizens ; for the completion, and the stability of the constitution. During the sermon, I could not but admire the peculiar animation of the preacher, and the fixed attention of the audience. But during the prayer, both preacher and hearers were so uncommonly affected, that I believe there were few persons, Protestants or Catholics, but were in tears \*. When the prayer was concluded, the belief was read, and two children were baptised. The whole service concluded by singing a paraphrase on the prayer of Simeon ; “ Lord now lettest thou thy servant depart in peace, according to thy word, for mine eyes have seen thy salvation ;” and surely never were words more applicable, from the time they were first uttered by the aged saint in the temple, when he embraced the infant Saviour in his arms, than on the present occasion. If corrupt statesmen smile at this relation, and

\* The Catholics were more particularly affected with this extempore prayer, as they have nothing of the kind in their own churches.

attempt to turn it into ridicule—Avaunt, ye enemies of mankind, you cannot enter into our feelings ! an attempt to convey them to you, would be equally vain, as an attempt to convey the harmony of sounds to the deaf, or the beauty of colours to the blind. But I make no doubt that some persons, from perusing this account, faint and imperfect as it is, will feel a flame glowing in their hearts similar to that which filled the souls of the Paris audience, and which will constrain them to break forth in the language of gratitude; *Blessed be God for the French Revolution.*

The collection at the doors for the poor (which always concludes the service of the foreign protestant churches) amounted to upwards of sixty pounds sterling. I had on my return the pleasure of conversing with several persons Catholics as well as Protestants, and the satisfaction of the former seemed as complete as that of the latter. I shall only add that the devotion of the day was not a sudden blaze, extinguished almost as soon as it was kindled. The church continued in the most flourishing state, and when the sacrament was administered, the number of communicants was upwards of one hundred and fifty.

Such

Such are the effects of toleration at Paris; and when the reader recollects that similar effects are taking place throughout the French empire, he may form some idea of the happy consequences resulting from the enlightened system of the National Assembly\*.

But it is not only the exercise of their religion which has been granted to the Protestants. The National Assembly have restored to them that *property* of which the old government, instigated by the church, had pillaged them. All the refugees, and the descendants of the refugees, formerly banished for their religion, are now invited to return. All who have been deprived of their estates may now reclaim them. To call this proceeding strict justice is not sufficient, it is unexampled generosity.

\* It would tend much to the revival of religion in France, were societies formed something similar to that excellent one in London, for "promoting religious knowledge among the poor." I should imagine societies might be founded on such liberal principles as to unite both Catholics and Protestants. The institution of Sunday schools for the children of the poor, would likewise be of infinite service. If any of the French should look over these pages I trust they will excuse the hints here suggested. In proportion as we prize liberty, we ought to prize virtue, which can alone render it desirable, and without which it cannot be lasting.

The



The happy effects of this enlarged toleration in *political and civil society*, must not pass unnoticed. All religious distinctions, and the innumerable unhappy evils resulting therefrom, are annihilated. Sects and parties instead of viewing each other with an envious eye, suspecting that each wishes to be uppermost, and exercising their mutual hatred, have nothing now to quarrel about.

Do we wish for a convincing proof of the happy consequences of such a system, let us turn to the French constitution, and ask who were the men principally employed in its fabrication? If we look at the committee we there find *a Roman Catholic bishop, an Abbé, a Jansenist, a Protestant Presbyterian minister, and a Protestant Layman* \*. Is there a benevolent heart that does not wish that all sects and parties in other countries would relinquish their religious differences in civil society, and forgiving and forgetting all former animosities, embrace each other as brethren ; and that their only strife might be who should shew the greatest love to their country, and render it the most essential service.

\* Monf. Talleyrand, bishop of Autun ; the Abbé Siéyes ; Monf. Thouret ; Monf. Rabaud de St. Etienne ; and Monf. Barnave.

The happy effects of toleration appear not only on the more solemn and important occasions, but even in the *Amusements* of the French ; the theatre ever since the revolution, has helped to confirm the people in their sentiments of civil and religious liberty. Mr. Burke, whose optics whenever he looks at France seem inverted, is resolved to misrepresent the people on every occasion. He mentions the tragedy of Charles the Ninth, as brought on the stage to “ teach  
 “ the French persecution ; to stimulate their  
 “ cannibal appetites by variety and seasoning ; and to quicken them to an alertness  
 “ in new murders and massacres, if it should  
 “ suit the purpose of the Guises of the day.” Nothing can be more false. I had twice the melancholy pleasure, for so I must term it, of seeing this tragedy. I know as well as Mr. B. what it is to weep at the fictitious woe of a Siddons, but the tears which I shed at the representation on the French theatre were those both of sorrow and joy. Of sorrow, when I reflected on those horrid scenes in real life, in which the established priests were formerly the principal actors. Of joy, when I farther reflected, that such scenes could never be again renewed. It was impossible

possible for me not to catch the French enthusiasm which then burst forth. The loud, repeated, and continued shouts of applause, in which I so heartily joined, were the shouts of victory and triumph over slavery, bigotry, intolerance, and cruelty.

Mr. Burke laments that “ the authour of  
 “ the tragedy was not sent to the galleys, nor  
 “ the players to the house of correction.”  
 No, Sir ; there not being any inquisition in France, your good wishes could not be carried into execution. I in my turn cannot help lamenting that this tragedy is not introduced on the English stage ; but it would not do on many accounts. The language is too instructive, the dialogues are too tedious, to suit the fastidious ears of a British audience. We cannot now endure even the instructive speeches of that Shakespeare we pretend to idolize ; they must be curtailed and frequently omitted, to make room for the after representation of some wretched farce, which seems to answer no other purpose, than to obliterate those feelings, which tragedy so frequently inspires. In such a situation, and while we are under the power of a variety of deep-rooted prejudices, it would be folly to attempt to introduce a  
 play,



play, which has little to recommend it, but the purest and most exalted sentiments of civil and religious liberty \*.

Such is the state of toleration in France, and such are the happy effects already produced. If the reader has felt any pleasure in this account, what must his indignation be, when he recollects the comparison which Mr. Burke has made between the contrivers of the massacre of Paris, and the members of the National Assembly. “ The  
“ Cardinal of Lorrain was the murderer of  
“ the sixteenth century ; you have the glory  
“ of being the murderers of the eighteenth,  
“ AND THIS IS ALL THE DIFFERENCE BE-  
“ TWEEN YOU ; ” That is, the Cardinal of Lorrain, with his brother priests, contrived to massacre 150,000 (some writers say half a million) of Protestants in cold blood ; the National Assembly have established the most COMPLETE TOLERATION, christendom has yet known ; and yet THEY ARE ALL MURDERERS ALIKE ! Has Mr. B. not a shadow

\* The title of the Tragedy is, *Charles the Ninth*, or A SCHOOL FOR KINGS : and a most excellent *school* it is. Monarchs may therein learn how dangerous it is for them to suffer themselves to be led by ecclesiastics.

of regard for his own character? Does he not recollect that the trial of Mr. Hastings is still pending? (a happy circumstance for that gentleman) Does he wish that the house of peers should give an iota of credit to what he has said, or may say; or that all his eloquence should not be counted a mere *Vox et præterea nihil*? Why does he then indulge himself in such rash declamation?

We shall now leave France, and turn to our own country: and let us enquire what is the state of toleration amongst us? We have already hinted that it is very imperfect, that those who dissent from the established church are partly tolerated and partly connived at. Many persons are however of a different opinion, and it is but justice to attend to what they say on the subject. Amongst those who are so well satisfied with our present establishment as to think any alteration not only unnecessary, but absolutely unlawful, may be reckoned a prelate whom I have more than once alluded to: I mean Dr. Horsley, bishop of St. David's. Let us attend to his opinion on the subject. "In this country the statesman  
 " finds an established church amidst a va-  
 " riety of brawling sects, all enjoying the  
 " utmost

“ utmost liberty of conscience, yet all clamorous against the persecuting spirit of the hierarchy, to whose candour and liberality they are in great part indebted for the blessing of a general toleration\*.”

This language, though contrary to fact, has been repeated an hundred times by different members of the church of England. It is so extraordinary that I can only account for it upon one principle, namely, that it is usual for persons whose characters are uniformly and notoriously deficient; to be the trumpeters of their own virtues, and to offer strains of flattery to themselves because they can find no one else to do it for them. In opposition however to his lordship's representation, I shall take the liberty of asserting, that the various sects in this country are very far from enjoying the utmost liberty of conscience; that for what they do enjoy, they are not in the least indebted to the candour or liberality of the hierarchy; and that it is the duty of all those sects firmly to unite and to protest against that persecuting spirit which this hierarchy ever has displayed, and I am afraid will

\* Review of the Dissenters case. p. 37.



continue to display as long as it is suffered to exist in its present state. A few historic facts, and a few observations on what has recently taken place, will be sufficient to prove each of these assertions.

In order to do justice to the *candour* and *liberality* of the church of England, I ought to give a sketch of her conduct since the period she first called herself reformed. I should refer to the reigns of Queen Elizabeth and the Stuarts; we should find a *striking* display of these virtues in her conduct to the Puritans. The whole body were dreadfully persecuted merely on account of their religious opinions; some of them were hanged, and thousands driven to America\*. We shall

\* Amongst others, who after being nearly ruined by the ecclesiastical courts, left his country, and went first to Leyden and from thence to America, was MR. JOHN ROBINSON, the founder of the first INDEPENDENT church in England. His parting address to his congregation contains such excellent sentiments, and breathes such a christian spirit, as render it well worthy the attention of all sects and parties, even in our more enlightened day; I therefore make no apology for presenting it to the reader.

“ Brethren,

“ We are now quickly to part from one another, and  
“ whether I may ever live to see your faces on earth any more

“ the

shall however pass over these periods, and only glance at the *smiling features* of the

“ the God of heaven only knows ; but whether the Lord  
 “ has appointed that or not, I charge you before God and  
 “ his blessed angels, that you follow me no farther than you  
 “ have seen me follow the Lord Jesus Christ. If God re-  
 “ veal any thing to you by any other instrument of his, be  
 “ as ready to receive it as ever you was to receive any truth  
 “ by my ministry ; for I am verily persuaded that God has  
 “ more truth yet to break forth from his holy word. For  
 “ my part I cannot sufficiently bewail the condition of the  
 “ reformed churches, who are come to a period in religion,  
 “ and will go at present no farther than the instruments of  
 “ their reformation ; the *Lutherans* can't be drawn to go  
 “ beyond what *Luther* saw ; whatever part of the will of  
 “ our God has been shewn to *Calvin*, they will die rather  
 “ than embrace it : and the *Calvinists* you see stick fast  
 “ where they were left by that great man of God who yet  
 “ saw not all things. This is a misery much to be la-  
 “ mented ; for though they were burning and shining lights  
 “ in their times, yet they penetrated not into the whole  
 “ counsel of God, but were they now living, would be as  
 “ willing to embrace farther light as that which they first  
 “ received. I beseech you remember 'tis an article of your  
 “ church covenant, *that you be ready to receive whatever*  
 “ *truth shall be made known to you from the written word*  
 “ *of God*. I must herewithal exhort you to take heed,  
 “ what you receive as truth, examine it, consider it, and  
 “ compare it with other scriptures of truth, before you re-  
 “ ceive it : for it is not possible the christian world should  
 “ come so lately out of such thick antichristian darkness,  
 “ and that perfection of knowledge should break forth at  
 “ once.” Neal's history of the Puritans. Vol. 2. p. 130.

church from the time of the restoration.

The manner in which the ministers who could not comply with the act of uniformity were turned out of the church, has been related ~~in~~ in the last chapter. How the laity were treated may be guessed by a mere recital of the acts which passed against them. *The Corporation act* incapacitated them from exercising the rights of citizens. *The Conventicle act* forbid all persons from attending any meeting for religious worship, consisting of more than five persons besides the family present, under very severe fines which were levied in the severest manner. *The Oxford act* deprived them of their ministers, by banishing them five miles from every town that sent members to parliament. *The Test act* rendered them incapable of all places of trust or profit under government. The design of these acts one of our historians (Rapin) observes, seems to have been to drive the nonconformists to despair, and to force them into real crimes against the government. Moderate men endeavoured to pursue more lenient measures, but when it was reported that an act of comprehension and indulgence was framing, their lordships the bishops,



bishops, were alarmed ; they raised such a disturbance that the House of Commons at last voted, that no bill for the above purpose should be received. It plainly appears to have been the intention of the church to suppress the dissenters entirely : but “ the more they were afflicted the more they grew.” Let the church however have her due merit for her vigorous exertions. During the reigns of Charles and James the Second, above sixty thousand non-conformists suffered, five thousand of whom died in prison ; on a moderate computation these persons were pillaged of fourteen millions of property \*. Such was the *tolerating, liberal, candid* spirit of the church of England.

But a different scene soon began to unfold, and the nation perceived that both the civil and the ecclesiastical constitution were in danger of being totally overturned, by the violent and arbitrary proceedings of James the Second. This popish tyrant had been confirmed in his wretched principles by the clergy. The universities in their ad-

\* Burnet's Own Time, vol. II. p. 382. Neal's history of the Puritans, vol. 4. p. 418. 19. 30. Conformist's Plea, part I. p. 40.

dress had told him, that he derived not his power from the people but from God, to whom alone he was accountable for his conduct \*. The clergy to a man had solemnly sworn that it was not lawful on any pretence whatever to take arms against the king. His majesty was resolved to take them at their word, and accordingly was preparing to establish a popish church, and an arbitrary government. The clergy at last finding themselves in such a forlorn situation, altered their tone and their conduct towards the dissenters. One of their perfe-

\* The decrees of the University of Oxford in favour of passive obedience and non-resistance, were some years afterwards burnt by the common hangman, by order of parliament.

Burnet speaking of the Universities says, " In those  
 " seats of education, instead of being formed to love their  
 " country and constitution, the laws and liberties of it, they  
 " [our young gentry] are rather disposed to love arbitrary  
 " government, and to become slaves to absolute monarchy.  
 " A change of interest may set them right again as to the  
 " public; but they have no inward principle of love to  
 " their country and of public liberty; so that they are easily  
 " brought to like slavery, if they may be the tools for ma-  
 " naging it." After this account, we may add, that it  
 was perfectly consistent in the University of Oxford, to con-  
 gratulate Mr. Burke, and to present him with an honorary  
 degree, for his writings against the French revolution.

cutors (the bishop of St. Asaph) hoped the Protestant dissenters would concur in preserving the common interest; "For you  
 "and we," added he, "are brethren. We  
 "have, indeed, been angry brethren, but  
 "we have seen our folly, and are resolved  
 "if ever we have it in our power to shew  
 "that we will treat you *as* brethren."  
 Another of their enemies (Archbishop Sancroft) sent a letter to his clergy, "exhorting  
 "them to cultivate a friendly correspon-  
 "dence with their brethren the dissenters;  
 "to have a tender regard to them; to  
 "visit them, and receive them kindly; and  
 "to join with them warmly and affection-  
 "ately in daily and fervent prayer to the  
 "God of peace, for an universal blessed  
 "union of all reformed churches at home  
 "and abroad, against the common enemy."  
 But the engagements of one of the clergy, who spoke in the sincerity of his heart, were so strongly expressed, that it would be injustice not to give them more at large.  
 "The bishops have, under their hands, de-  
 "clared their dispositions to come to a tem-  
 "per in matters of conformity, and there  
 "seems to be no doubt of their sincerity.  
 "If ever God brings us into a settled state



“ out of the storms into which our passions  
 “ and folly, as well as the treachery of  
 “ others have led us, it cannot be imagined  
 “ that the bishops will go off from those  
 “ moderate resolutions which they have  
 “ now declared ; and they continuing firm,  
 “ the weak and indiscreet passions of the  
 “ inferior clergy must needs vanish. *And*  
 “ *I will boldly say, that if the church of Eng-*  
 “ *land, after she has got out of this storm, will*  
 “ *return to hearken to the peevishness of four*  
 “ *men, SHE WILL BE ABANDONED BOTH OF*  
 “ *GOD AND MAN, AND WILL SET HEAVEN*  
 “ *AND EARTH AGAINST HER.* [The nation  
 “ sees too clearly how dear the dispute  
 “ about conformity has cost us, to stand  
 “ upon punctilios, and those in whom our  
 “ deliverance is wrapt up, judge too rightly  
 “ to imagine that ever they will be priest-  
 “ ridden in this point. All considerations  
 “ concur to make us conclude that there is  
 “ no danger of our splitting a second time  
 “ upon the same rock. And indeed if any  
 “ argument was wanting to conclude this  
 “ point, *the wise and generous behaviour of*  
 “ *the dissenters, in this present juncture, has*  
 “ *given them so just a title to our friendship,*  
 “ *that we must resolve to set all the world against*  
 “ *us*

*“ us if we can ever forget it ; and if we do  
 “ not make them all the returns of ease and fa-  
 “ vour, when it is in our power to do it \*.”*

The behaviour of the dissenters, at this critical period, was indeed wise and generous ; they were smarting under the wounds given them by the church ; they were courted by the king, and tempted with large offers of favour. They were weighty enough to turn the scale either way. But they sacrificed their resentments, and united with the nation in driving away an arbitrary tyrant, and establishing William and Mary on the throne.

And now one should have hoped the church had done with persecution, and that from henceforth, there would have been a mild, moderate, and enlarged establishment, or at least a complete toleration. And yet, sad to relate, the storm was hardly blown over, when the church forgot all her promises. It is true, that by the exertions of a few of the moderate clergy, assisted by King William, and the Whig statesmen of that day, the act of toleration, which granted liberty to those dissenting

\* Burnet's Apology for the Church of England.

ministers,

ministers, and school-masters, who subscribed the doctrinal articles, was passed; but even this toleration, very imperfect as it was, was ill relished by the main body of the clergy. Burnet says, he shewed so much zeal for this act, as very much sunk his credit. Some proposed that the act should only be temporary, as a necessary restraint upon the dissenters, that they might demean themselves so as to merit a continuance of it. Such was high church *gratitude* and *veracity*.

With respect to the general conduct of the clergy, after the revolution, it was ungrateful, intolerant, and disloyal. Before one short year had expired, they began to shew an implacable hatred to the non-conformists, and seemed to wish for an occasion to renew old severities against them. The king was a friend to religious liberty. He always thought conscience was God's province, and that it ought not to be imposed upon; he conceived toleration to be one of the wisest measures of government. He, with his Whig ministers, assisted by Burnet, Tillotson, and the moderate part of the clergy (too few, alas! to be of service) laboured to reform the church, to  
bring



bring in the dissenters, and to restore the latter to their rights in civil society\*. But those incorrigible bigots, high churchmen, frustrated all their attempts. Although the king filled up the sees, as they became vacant, with worthy moderate men, who “ were not scrambling for preferment, but “ who were brought out of their retire- “ ments most of them against their inclina- “ tions;” yet all would not do. “ The “ main body of the clergy soon spread an “ ill-humour all over the nation, which con- “ tinued during the whole of this reign. “ They gave out that *the church was in dan- “ ger*, and seemed as if they would never “ be satisfied unless the dissenters were “ again persecuted, nor could they look at “ a man with patience, or speak of him “ with temper, who did not agree with “ them in these things.” While the dissenters were the zealous friends to the constitution, the clergy were continually shewing their wishes to over-turn it. The

\* Let the Lord Mayor, Alderman, and Common-council of the city of London recollect, that their ancestors petitioned in favour of the rights of Protestant dissenters, and recommended their being declared eligible to all offices under government,

bulk of them were suspected rebels. " They  
 " expressed a great esteem for Jacobites,  
 " and served them by every means in their  
 " power. Their behaviour gave to atheists  
 " and profligates, no small advantage.  
 " They had taken the oaths, and read the  
 " prayers to government, and yet their be-  
 " haviour was such, that made many con-  
 " clude they were a sort of men that would  
 " swear and pray even against their consci-  
 " ences, and that they were governed by  
 " interest, and not by principle."

Soon after the death of our GLORIOUS  
 DELIVERER, and the accession of Queen  
 Anne, the high church party became more  
 powerful, and more violent. They tried to  
 overturn the toleration. Burnet says, " I  
 " was resolved never to be silent when that  
 " should be brought into debate. I have  
 " long looked on liberty of conscience as  
 " one of the rights of human nature, ante-  
 " cedent to society, which no man could  
 " give up, because it was not in his own  
 " power." The temper of the clergy may  
 be seen by the encouragement they gave to  
 that weak, wicked, and seditious tool Sa-  
 cheverell; so famous, or rather infamous,  
 for the sermon in which he vilified the  
 revolution,

revolution, asserted the doctrines of passive obedience and non-resistance in the highest strains possible, and raised the WAR-WHOOP of the clergy, THE CHURCH IS IN DANGER. When he was impeached by the Commons, and during his trial, the nation was in a flame. The whole sacred order (as Dean Swift informs us) was understood to be concerned in his prosecution \*.” They stirred up mobs by every means in their power. All who would not join the cry, *The church and Sacheverell*, were insulted or knocked down. The meeting-houses of the dissenters were burnt in several places ; the prelate I have often alluded to says, that before his door the mob cleft the skull of a man who would not join in the common shout, and threatened to burn down his (the bishop’s) house. Although the fanatic priest was found guilty, the sentence passed on him was so mild (to be silenced for three years, and to have his sermon burnt by the common hangman) that the clergy thought it a victory. Bonfires and illuminations appeared all over the kingdom, and when he afterwards went into Wales, he

\* History of the four last years of Queen Anne, p. 6.



was received with triumph: Such were the *blessed* effects of high church principles\*. These however, were not all. The clergy prevailed upon the legislature to pass a law *against occasional conformity*, which prohibited any persons in office from attending a dissenting meeting, under the penalty of twenty pounds; and disqualifying them for any office for the future, till they made oath that they entirely conformed to the church, and had not been at any conventicle for the space of a whole year†."

*An act to prevent the growth of Schism* was likewise procured by the same party. By this act no person whatever could be either

\* In the whole of the above account, I have closely followed Burnet's History; the Index under the word CLERGY, will point to the pages I have quoted.

CLERGY *English*, a great heat amongst them—Invite the Prince of Orange to defend them—Welcome him here—An ill humour spreads among them at the Revolution—They take the oaths with too many reservations—Instrumental to corrupt the people—Act contrary to their oaths—Oppose Archbishop Tillotson—Divisions among them—Irreconcilable to dissenters—Raise a cry of the church in danger—Their ill humour encreases—They espouse Sacheverell—Many incline to popery.

† Dr. Horsley speaks of the expediency of this act, and seems to recommend the revival of it. Review of the Dissenters' Case, p. 50

a school-

a school-master or tutor, without a full and entire conformity to the church. Such was the *mild*, the *liberal*, the *tolerant* church of England, during the reigns of King William and Queen Anne.

Some of my readers will, perhaps, be ready to ask ; “ Why should you call to “ remembrance events, which tend rather “ to inflame than to cool the spirit of party ? ” To which I reply, that my reason is, because at the very time the church boasts of her candour and liberality, she discovers the very principles which produced all these events ; she still pleads for, and retains her persecuting laws ; she ought, therefore, to have these and other *plain facts* rung in her ears, till she renounces her antichristian spirit.

But to return to our sketch. Happier times now approach. The schism bill was to have taken place on the first of August 1714, but on that day Queen Anne died. By the settlement of the crown in the Brunswick line, and the accession of GEORGE THE FIRST, a deadly thrust was given to the high church party, under which they have long languished, and which it is to be hoped they will never recover. The first prince

prince of the house of Hanover, well understood the sacred rights of conscience, and was a firm friend to our religious liberties \*. He with his ministers struggled to assist them. They procured the repeal of the acts which had been passed against them in the preceding reign. They wished also the repeal of the Test and Corporation acts; but the *mild*, the *liberal*, the *tolerant* church of England, not only prevented such a measure, but shewed much displeasure at what had been already done.

The Protestant dissenters must ever recollect the memory of George the First with tears of gratitude; and it is not any temporary unkindness from any of his descendants, which can damp that loyalty which has always glowed with the purest flame in their bosoms.

We now come to GEORGE THE SECOND, who was known to be the friend of toleration. It must be recorded to his honour, when some of the high church party commenced a prosecution against that ornament to the

\* It ought likewise to be recollected, that he was a friend to our civil liberties, and wished to guard them from abuses. The bill for limiting the peerage had his good wishes.

dissenters,



dissenters, Dr. Doddridge; his majesty on hearing it, immediately quashed the proceedings, declaring that no man should ever suffer persecution for conscience sake in his reign. Nothing however was done to relieve the dissenters from those penal laws which still hung over them. There was an attempt to procure the repeal of the Corporation and Test acts, and our ancestors had their public meetings in different parts of the kingdom, and entered into resolutions which have lately been nearly copied. Their claims to the rights of citizens, were enforced by some of the greatest men *in* the church as well as out of it. The name of Hoadley will be handed down to the end of time, as the defender of religious liberty and of the purity of christian ordinances. But the body of the clergy were still of the same sentiments as their fathers. Their influence was too successful. The statesmen of that day were timorous; they cajoled the dissenters, and afterwards deceived and deserted them.

The language of some of the dignitaries of the church on that occasion, shews their enmity, not only to the extension of the rights of dissenters, but even to the posses-

sion of those rights they then enjoyed. " It  
 " will become us of the clergy (says one of  
 " the bishops) *in point of prudence*, not to  
 " give any just suspicions of disgust to the  
 " toleration of the dissenters, while they  
 " keep within due bounds, that is, while  
 " they do not break in upon the privileges  
 " and rights of the established church, by  
 " declaring against all legal establishments,  
 " or the legal establishment of the church of  
 " England in particular, or by not being  
 " quiet with the present limits of the tole-  
 " ration, or by affecting posts of authority,  
 " and thereby breaking down the fences of  
 " the church, and placing themselves on a  
 " level with it\*." What *candid* and *liberal*  
 sentiments !

A few years after the unsuccessful at-  
 tempt just mentioned, the rebellion broke  
 out. Amongst the most zealous defen-  
 ders of the crown on that occasion were  
 the non-conformists. In spite of penal  
 laws which threatened them with ruin  
 they flew to arms. They were afterwards  
*most liberally rewarded, by being included in*

\* Charge of the bishop of Litchfield and Coventry to his  
 clergy, quoted by Neal, vol. III. preface.

*the same act of indemnity which pardoned the rebels they had fought against.* Nothing farther was done for them. The state of parties, and the war which soon afterwards commenced, prevented them from renewing their application.

We are now arrived at the reign of GEORGE THE THIRD (whom God long preserve) in which, for the first time since the Hanoverian succession, the clergy are become universally loyal. The hopes of a pretender of the Stuart race being entirely lost, the reverend body are happily the friends of the reigning family. With this long wished for change, it was hoped that their sentiments respecting civil and religious liberty, were changed likewise. Recent events have however too plainly proved, that a persecuting spirit, that *mystery of iniquity*, is still working; and that it is on the civil, and not on the ecclesiastical powers, that the friends of reformation must place their hopes; and I will venture to say that these hopes will be vain, unless they are accompanied by firm, united, and unwearied exertions.

It is now about twenty years since the Protestant dissenting ministers applied to



parliament for relief in matters of subscription; their application met with little opposition in the House of Commons. The minister of that day, lord North, although he was not the friend of the Dissenters, and they were not in general friends to his administration, did not exert his influence against them. They have not to bring against his lordship the charge of ingratitude. An act for their relief passed the Commons, but when it came to the Lords, the bishops exerted themselves and prevailed on the house to reject it. The Dissenting ministers not being discouraged, made in the ensuing sessions a second application.

“ Christian liberty ! thou favourite offspring  
 “ of heaven ! thou first-born of Christianity !  
 “ I saw the wise and pious servants of God  
 “ nourish thee in their houses, and cherish  
 “ thee in their bosoms ! I saw them lead  
 “ thee into public view ! All good men  
 “ hailed thee ! The generous British Com-  
 “ mons caressed and praised thee, and led  
 “ thee into an upper house ; and there——  
 “ there didst thou expire in the holy laps  
 “ of spiritual Lords ! ” We ought never  
 to forget how nobly the late lord Chatham  
 exerted

exerted himself in the cause of religious liberty on the above occasion ; what he said has so often appeared, that I hope it is needless to repeat it.

The Dissenting ministers being thus defeated, resolved for the present not to renew their claims ; but they were shortly informed by those whose intelligence could be depended upon, that a third application would be successful. They took the hint, and an act in their favour passed the legislature without opposition ; even the bishops were silent. There was a little mystery in the conduct of their lordships. All their zeal for the doctrines of the church, which they had twice pretended would be endangered by the relief requested, at once evaporated. It since appears they acted throughout the whole of the business only as they were ordered by *certain great men*. *They were all the time the good friends of the Dissenters, but were PUT ON by others to act as they had done\**. Their conduct on this occasion may serve as a farther comment on Mr. Burke's sentiment, " that

\* Such was the language of one of the archbishops. See Dr. Priestley's letters to Mr. Burke.

“ecclesiastics may be useful men in the “state;” or in other words, may be the tools of those in power, to perform work which the latter are ashamed of. The Dissenting ministers were undoubtedly obliged to the legislature, to King, Lords, and Commons for the relief afforded ; but surely the church has more modesty than to boast of *her* candour and liberality on the occasion.

But events now press upon us, at the hearing of which the ears of every friend to religious liberty will tingle to the latest posterity. It will at once be recollected, I allude to the late unsuccessful attempts to procure the repeal of the Corporation and Test acts, and of various penal laws, which hang over the heads of thousands of churchmen and Dissenters in this kingdom. I shall pass lightly over these events, for they are too disagreeable to dwell upon.

With respect to the Corporation and Test acts, it is well known that they have long been a hardship on the Dissenters, as disqualifying them even for the meanest offices of trust or profit ; that they form a most invidious distinction between citizens who are equally friends to our constitution ; and that were these laws to be executed,  
they



they would ruin numbers, and drive many of his majesty's best subjects out of the kingdom\*.

G g 4

It

\* “ An exclusion from civil offices is persecution; it is  
 “ not indeed the persecution of the Inquisition, or Smith-  
 “ field; it differs from them in degree, but it resembles  
 “ them in kind.—Punishment for religious opinions is per-  
 “ secution; and evil of any kind inflicted by the authority  
 “ of the civil magistrate, is punishment. This evil may  
 “ respect a man's person, or liberty, or property, or cha-  
 “ racter. Civil incapacity brought upon men by law, is  
 “ an evil affecting their property and their character; their  
 “ character, as it exposes them to the imputation of being  
 “ bad citizens; their property, as it takes from them the  
 “ possibility of acquiring advantages attendant on civil of-  
 “ fices. These advantages, whether they consist of wealth,  
 “ power, influence, or honour, are worth something; their  
 “ value may be variously appreciated; yet being worth  
 “ something, the possibility of acquiring them is worth  
 “ something, and the taking away from any man that pos-  
 “ sibility on account of his religion, is PERSECUTION.”

Dr. Watson, bishop of Landaff's charge, p. 11. 12.

When I read the excellent sentiments, which abound in the charge of this prelate, and reflect on his situation, I cannot help exclaiming—WHAT A DIAMOND AMONGST PEBBLES!

The TEST law ought never to be mentioned without at the same time mentioning the penalties annexed to it. The offending party is not only deprived of his office, but incapacitated to sue in any court of law or equity; to be guardian of any child; to receive any legacy; to bear any office; and is subject to the fine of five hundred pounds to any

It ought at the same time never to be forgotten, that all the dissenters, in their late applications, have asked for is, ELIGIBILITY to office. All they request is, that his Majesty's prerogative, and the rights of their fellow-citizens may not be encroached upon by the church, and that she may no longer insolently say to either, you shall not choose the men whom you think proper to serve you, unless they think in religion as we do.

The matter was, indeed, taken up on religious ground, and an appeal was made to the consciences of the clergy. It was thought that an act, which is one of the most profane existing in any Christian country; an act which even a convocation had declared a burden to their consciences; that the repeal of such an act would be desirable. But in this respect the dissenters have shewn their want of knowledge. "Of all  
 " the reasons (says Bishop Horsley) that  
 " are alledged for the repeal of these of-  
 " fensive laws; the pretence of the per-

any person who shall sue for the same. In the present age of contradictions, there are men who plead for this and other persecuting laws, and yet call themselves the friends of religious liberty. *Risum teneatis amici!*

" plexities,

“plexities, in which the parochial clergy  
 “find their consciences entangled by them,  
 “is the most contemptible and ridiculous.”  
 Here it must be confessed, that the dissenters did imagine that the consciences of the clergy might be uneasy, as they are compelled to give the sacrament to infidels and profligates; to those whom they say are eating and drinking damnation to themselves. But “nothing can be more contemptible or ridiculous” than to urge such scruples. Why? Because “the laws absolve the priest’s conscience.” Right, my lord, the laws absolve your consciences (as we have seen in the last chapter) from many other kinds of spiritual wickedness; and as long as these laws are your apology, the dissenters will deserve your contempt and ridicule, if ever they address men of your stamp, as men of tender consciences\*.

The

\* I cannot help remarking, that I was first led to consider the impiety of the acts abovementioned, by a divine of the church of England; who, in a sermon preached during the late war, places them in the list of national sins, which were drawing down national judgments. “As the case stands at present (says the authour) we frequently see professed infidels and notorious libertines approach the Lord’s table as a matter of course, and prof-  
 tituting



The application for the desired repeal was deferred till the period arrived when it was thought no reasonable objection could be made to it. The nation was at peace. The administration, which had received the warmest support from the petitioners, was popular. Mr. Pitt himself ac-

“ tituting the most solemn ordinance of Christianity to  
 “ their ambition and interest. The great number and va-  
 “ riety of appointments, civil and military, which cannot  
 “ be legally possessed without this qualification, render the  
 “ enormity almost as common as it is heinous. If the  
 “ Lord be a God of knowledge, he cannot be deceived.  
 “ If he be a God of truth and holiness, he will not be  
 “ mocked. I am afraid we have been long guilty of a  
 “ contemptuous profanation of the body and blood of  
 “ Christ.” See, *THE GUILT AND DANGER OF SUCH A*  
*NATION AS THIS: A sermon by JOHN NEWTON, Rector*  
*of St. Mary, Woolnoth.* The worthy authour did me the  
 honour of shewing me this sermon in manuscript: it not  
 a little impressed me; and I was glad to find it was his  
 intention to print it. Soon after it was published, that  
 eminent prelate Dr. Lowth, sent the authour a letter ex-  
 pressing his hearty approbation of the sentiments it contain-  
 ed. Will Mr. Newton forgive me for asking him with  
 the warmth of a friend; Is not the profanation of the sa-  
 crament as great a crime *now*, as it was ten years since?  
 Why then, my dear Sir, have you not come forward dur-  
 ing the late contest? If you had, we might then have said;  
*There is ONE CLERGYMAN OUT OF TEN THOUSAND,*  
*who appears to be animated with a becoming zeal for his God*  
*and Saviour!*

knownedged

known, that if there was a period when the dissenters had shewn in a peculiar manner, their love to the constitution, it was during the present administration. The highest authority, the KING, had repeatedly declared his firm reliance on the loyalty of his Protestant dissenting subjects\*. At such a period, it was hoped that even the church had forgot her intolerance, and would not have shewn any violent opposition. In order, however, to avoid giving offence, as much as possible, the first application was made in so quiet a manner, that I believe it was unexpected

\* See his Majesty's answers, to the addresses of the dissenters. After such authority (to say nothing concerning their general conduct) must it not be the height of insolence, for any one to charge a loyal body of men with being republicans, enemies to the constitution, &c.?

Before Dr. Horsley again insinuates that the non-conformists are enemies to the constitution, he is humbly requested to recollect, whether they have acted so unconstitutionally as his Lordship, when he invaded the privileges of the House of Commons, by his electioneering letters. If he will just look over the journals of Parliament, he may there find how two bishops were served in Queen Anne's reign, for acting in a similar manner. It appears that the Commons *then* entertained a proper jealousy for their privileges.

by

by the major part of the dissenters. Lord North mentioned the indifference of the general body, as a reason why the House should reject the request made by a few †: the motion was lost by a considerable majority. The dissenters, however, though defeated, were not dispirited. Letters were sent by the London committee to the pastors of the different congregations in the country, that the sentiments of the body at large might be collected; the consequence was, a universal approbation of the conduct of the committee, with a request that the claim of the dissenters might be again laid before parliament. A second application was accordingly made, but the motion for the repeal met with the same fate as before. As, however, the majority against the claimants was but trifling, as

† We have, however, been gravely told by a dissenting minister, that the *manner* in which the dissenters applied, was the principal cause of their want of success. Has this gentleman never read even a common newspaper on the subject? Has he paid no attention to the quiet application of the church of Scotland? (who has at last began to open her drowsy eyes) And is he still to be informed, that churchmen, in all their publications mention the obnoxious acts as *absolutely necessary* for the preservation of church and state?

their



their friends were encreased, as the people out of doors had shewn no opposition, they still hoped for success. Previous to their third application, they exerted themselves by associating in various parts of the kingdom ; and entered into resolutions expressive of their determination to renew their appeal. These associations and resolutions were similar to those of their ancestors in the late reign. Their behaviour was peaceable, their conduct was constitutional, and their unanimity unexampled\*.

And

\* There have, indeed been two publications, the authours of which would, as exceptions to the unanimity I have mentioned, hardly deserve notice, were they not respectable and popular in their different denominations. The first was " A speech intended to be spoken at the " meeting of the London ministers." By JOHN MARTIN. The design of which appears to have been to invalidate the claims of dissenters to civil rights. This pamphlet procured the authour many flattering tokens of respect from bishops and courtiers. The bishop of London, and the bishop of St. Davids, each sent him very polite letters, with a copy of their works. Mr. Pitt, and Sir Richard Hill, sent their compliments of approbation. The pamphlet was likewise circulated at court. It was my intention to have made a few remarks on its extraordinary contents ; but finding (notwithstanding the flattering reception

And now let us turn to the church of England, and observe with what *liberality* and

ception it first met with) it is since buried in oblivion, I shall not rake into its ashes, but act on the very charitable maxim, *De mortuis, nil nisi bonum*. I shall therefore only express my hope, that the truly respectable authour would never again degrade himself, by appearing in the cause of either civil or ecclesiastical tyranny.

The other exception is MR. CLAYTON, whose discourse I have alluded to in the first chapter of this work. I am sorry to observe that in spite of the efforts of his friends, male and female, (for both sexes have honoured him on this occasion) to convince him of his errors, he has suffered a second edition of his sermon to be printed, without correction or alteration, defence or apology. Wishing to help this gentleman out of the disgraceful situation into which he has plunged himself, I beg leave to recommend to him the examples of two great men which it will be to his honour to imitate. The first is that of Dr. Tillotson. When he was Dean of Canterbury he preached a sermon before Charles the second, in which was this abominable sentiment "That no pretence of conscience warrants any  
" man that is not extraordinarily commissioned as the apostles were, and cannot justify that commission by miracles  
" as they did, to affront the established religion of a nation,  
" although it be false, and openly draw men off from the  
" profession of it, in contempt of the magistrate and the  
" laws," &c. The Dean printed the sermon, and sent a copy of it to the famous non conformist minister, Mr. John Howe. The latter was much grieved on reading it,  
and

and *candour* she acted on the occasion. The first thing she did was to raise an alarm through the nation. The horrid yell, THE CHURCH IS IN DANGER, was sounded from one end of the kingdom to the other.

and took an opportunity of expostulating with his friend on the dangerous tendency of what he had advanced. The Dean, open to conviction, soon acknowledged his mistake ; *he fell a weeping freely, and confessed this was the most unhappy thing that had of a long time befallen him.* I SEE (added he) WHAT I HAVE OFFERED IS NOT TO BE MAINTAINED.

The second example I beg leave to mention, is that of the great and good Mr. Baxter. In the course of a controversy which he had with Mr. Tombes, an eminent anti-pædobaptist minister, (in which the *watery* controvertists, *fired* each others tempers) he let fall some personal reflections, which he thought proper afterwards to retract ; and *publicly asked God, and him* (Mr. Tombes) *pardon for some unhand-some things which, in the warmth of debate, he had said against him.* These are precedents which Mr. Clayton need not be ashamed to follow. Let him therefore *acknowledge his misrepresentation of the sentiments and conduct of the dissenters ;* and PUBLICLY ASK PARDON OF GOD ; AND OF DR. PRIESTLEY (whose writings charity induces us to suppose he had never read) FOR THE INJURIOUS AND CRUEL LANGUAGE HE HAS THROWN OUT FROM THE PULPIT AND THE PRESS AGAINST HIM ; at the time he was suffering a severe persecution from his malicious and inveterate enemies.

Pamphlets



Pamphlets and sermons filled with invective, malice, and falshood, were published by men of different ranks in the church. In some of these it was declared that the dissenters already enjoyed too large a toleration ; and the necessity of a revival of other penal laws was suggested. In others it was lamented that the dissenters were not excluded from the House of Commons. In others they were charged with being unquestionably republicans, and with wanting to overturn our constitution \*. In short, every method was taken to misrepresent, to provoke, and to inflame. The dissenters made a third application ; the event is

\* Whoever has read the sermons and pamphlets of Dr. Croft, Mr. Madan, and Mr. Decoetlogon (not to mention many others) will recollect plenty of language, which if we had not seen with our own eyes, we should hardly have believed could have come from divines of the present day. Mr. Decoetlogon, who has been so furious against the dissenters, is one of those *evangelical* clergymen, who informs us, that the sacrament is not only to be used as CHRIST instituted it, but in a *secondary sense*, as a qualification for civil offices ; and that this qualification ought to be extended to the members of the House of Commons. I would recommend to this gentleman Mr. Newton's sermon before quoted.

too

too well known. To the everlasting disgrace of the church of England, she has now fully proved, that even the enlarged and liberal principles which are extending almost universally, have not been able to subdue her persecuting disposition.

The last debate was rendered famous by the principal leaders who conducted it. On the side of the church we behold Mr. PITT, the son of the late Lord Chatham. This man, (a degenerate plant from a noble vine)—despising the sentiments of his father—shutting his eyes to the light spreading over the rest of the world—with a heart steeled to the emotions of gratitude—not only used all his influence against the just claims of religious liberty, but all his eloquence in defence of persecuting principles, and in misrepresenting a body of men, whose principal fault was, that they had too eagerly supported a minister, who had deceived *them* as well as others.

On the other side, and as a contrast to the object just presented, we behold Mr. Fox, a man who so far from being under any obligations to the dissenters, had hitherto found them his opponents. Yet, forgetting the treatment he had received,

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regardless

regardless of the unpopularity of the cause, the frown of the court, and the fury of the clergy; he cheerfully and zealously undertook the defence of the sacred rights of conscience, and called forth all his powers on their behalf; expressing at the same time his readiness to engage in the same glorious cause on any future occasion. This illustrious statesman displayed not only first rate abilities, but what is still more to be admired, a noble heart, superiour to those narrow paltry passions, which usually actuate those whom the world calls great men. But the church was triumphant, and reason, justice, humanity, and christianity, were defeated.

Do we want a farther specimen of the *candour* and *liberality* of the church? let us look at her conduct, not only to the dissenters, but even to her own members. It is within these three years, that lord Stanhope moved for a repeal of various penal laws, TWENTY-SIX in number, which surely must be pronounced a disgrace to a country calling itself free. Some of these laws fine a man for not going to church; others punish him for speaking any thing derogatory to the common prayer, or to what is therein contained; for the first offence, imprisonment for a twelve-month;



month; and for the second, imprisonment FOR LIFE. Others inflict penalties upon any man who writes against the doctrine of the trinity. Those laws which relate to our ecclesiastical courts are so horrible, that were they to be executed, they would render those courts such INQUISITIONS, that it would be difficult for a free people, however peaceably or loyally disposed, to submit to them. How did the heads of the church behave on the above occasion! one of them in his zeal reminded the house, of a law which the ancient Locrians adopted, that the man who proposed any alteration of what was established, should do it with a rope about his neck, in order that if the alteration was rejected, he might be immediately hanged. Others spoke more moderately. The archbishop of Canterbury professed himself a friend to liberty of conscience; and even the bishop of St. Davids made an elegant speech in favour of toleration. But we have reason to tremble, when we hear such men assume language which they cannot enter into the spirit of. Their smiles (similar to what naturalists have feigned concerning the smiles of the mermaid) commonly forbode an approaching storm. The bishops

would not suffer Lord Stanhope's bill even to go to a committee, and his lordship finding the case hopeless, would not risk a division.

Some people I know will be ready to ask, what reason is there to be anxious for the repeal of laws which are not executed? I beg leave to answer this question by asking another ; why are they not executed? If laws are good they *ought* to be executed, if bad they *ought* to be repealed. Are Britons to be indebted for their civil and religious liberties, to connivance, and not to law? but no man ought ever to persuade us, that those who plead for persecuting statutes, do not design on some occasion or other, to make use of them. If a person stands over me with a drawn sword, let his professions of friendship be what they may, I ought not to consider him as my friend, till he not only removes the hostile weapon, but returns it to its scabbard, and assures me that it shall never be drawn against me.

One more instance of church *candour* and *liberality* shall close this account. Let us take a momentary look at Birmingham. *There* is a scene in which Englishmen at the close of the eighteenth century have been  
the

the actors, which would have disgraced barbarians in any century. Shall it be said, these odious proceedings were those of a mob, we must reply that this mob was composed of churchmen. The clergy and the nobility addressed the rioters as *friends and fellow churchmen engaged in the same cause*. Some of the members of the church have since *rejoiced in the good sense then displayed by the people*. The appeal of the much injured Dr. Priestley is now before the public, an appeal which it is hoped will circulate through the world. We have there on the one hand, a display of high church principles drawn out into action; and on the other, of that fortitude which philosophy and christianity inspire, and which enables the persecuted possessor resolutely “to steer right onward, without bating a jot of heart or hope\*.”

H h 3

Such

\* Captain Newte (brother to a clergyman) in a tour lately published, gives the following account of the people at Birmingham. “Dr. Priestley’s latitudinarian principles are adopted by those who consider themselves as philosophers; but the great mass of the people give themselves very little concern about religious matters, seldom if ever going to church; and spending the Sundays in their ordinary working apparel, in low debauchery. It is well known



Such has been the conduct of the church of England, and such are a few of the numerous proofs of her *candour* and *liberality*, for which she expects the gratitude of dissenters. Does she, however, seriously wish to conciliate them, to have their good will, and to draw forth their gratitude ; it can only be by acting diametrically opposite to her past conduct. It is not by her professing to be tolerant, or by dunning us with reiterated accounts of her excellencies and

“ known there are many coiners of false money in Birmingham ; it may be added, there is a great deal of trick and low cunning among the manufacturers in general, (though there are no doubt some exceptions) as well as profligacy of manners. What religion is in the town, is to be found among the dissenters.”

The Birmingham mobs shew the propriety of Mr. Fox's remarks concerning different mobs which have of late troubled the repose of the peaceable part of the nation. “ The mob in 1780, shamefully insisted upon the repeal of a salutary law ; and the mob of the *high church* now insisted against the repeal of a prejudicial law. If there were any members in that house [of Commons] who beheld unprincipled mobs with horror, so did *he* : *his* indignation was equal to *theirs* ; and to *him* the cry of a mob was *constantly* the same ; and whether it issued from a mob of gentlemen, or a mob of bishops, or a mob from *Newgate*, it proved equally odious to *him* ; for it was always the cry of either fanaticism, or prejudice, or ignorance !” Speech on the Test act. p. 83.

virtues,

virtues, that will be of any service to her. Let her dignitaries take the advice of a noble member of the church, and have less of toleration in their language, and more of it in their conduct \*. Let the clergy shew a proper disposition to reform their own community, and cease persecuting other communities, and then we may give them credit for their professions : and endeavour to forgive, and forget, those ages of injuries which our ancestors, and ourselves have sustained. Till she is thus disposed, though she may call herself eternally “ the purest “ and best reformed, mildest, and most tolerant church in the world,” nobody will mind what she says. “ We of the clergy, says Burnet, “ are too much parties to be “ believed in our own cause. There was a “ generation of men that cried *The temple of the Lord*, as loud as we can cry *The church of England*, when yet by their sins “ they were pulling it down, and kindling “ that fire, which consumed it. It will “ have a better grace to see others boast of “ our church, from what they observe in

\* Hints &c. to the Clergy. Preface.

“ it, than for us to be crying it up with  
 “ our words when our deeds deny it.”

In the mean while, what ought to be the conduct of the Protestant dissenters? Dr. Horsley heartily prays that our eyes may be open to the discernment of this truth ;  
 “ That toleration [such as we now have] on  
 “ the part of government, and a cheerful  
 “ submission on the part of the tolerated to  
 “ *some necessary restraints, are the only terms*  
 “ *on which churchmen and dissenters can ever*  
 “ *walk together as friends\*.*” Agreeable to this sentiment, a false, or rather a weak brother, reproves us for that *impatience we discover under those restraints necessary to be imposed on those who dissent from the established religion of their country†*. What ought our language to be in return to such men? *So far from being patient under what you call necessary restraints [PENAL LAWS]—We are determined to persist in demanding their removal.* Though we never wish to injure either your persons or properties ; though we pray for your success when engaged in preaching the gospel, or in defending any of its doctrines ; yet, *so far from walking together with you as*

\* Review of the Dissenters' Case. Preface.

† Clayton's Sermon.

*friends,*



*friends, while you are the advocates of persecution*—WE PROCLAIM OPEN WAR AGAINST YOU ! The dissenters should treat a haughty intolerant spirit, as Hamilcar taught his son Hannibal to treat the old Roman spirit of universal dominion ; *Swear eternal enmity to it.* Whenever the demon of intolerance makes its appearance, let us give it no quarter. Let it stalk forth from the university of Oxford, or the Countess of Huntingdon's methodistical college at Treveca : let it assume the form of an angel of light, and “ present itself before the “ LORD, amongst the sons of God,” assembled for religious worship either in the cathedral or the meeting-house : let its defender be a bishop or a dissenting minister, we ought never to rest satisfied, till we have vanquished and destroyed it.

The dissenters have a farther duty incumbent upon them. They ought not only to speak, and to write, but to persevere in action. *Aut nunquam tentes, aut perfice.* Remember, you are the descendants of those who by resisting unto blood, preserved that excellent constitution, to which the nation owes so much freedom and happiness,

ness\*. Although you are not called to such painful duty, you are, perhaps, called to what is more arduous. You have to resist the influence of riches and luxury. Temporal prosperity has more injured the Christian church, than all the flames of persecution. "That accession of fortune [which  
 "many of you enjoy] is a furnace, in  
 "which the nature of your profession is  
 "tried.—The erasement of the lines of separation which distinguish the church  
 "from the world amongst wealthy Protestant dissenters, accounts for the degeneration of their rising families†." If you desert your principles; if for the sake of a place in a corporation, or any place, you can profane the sacrament of the Lord's supper; if instead of assisting, you endeavour to damp the exertions of your brethren in the cause of civil and religious li-

\* Mr. Hume acknowledges, that had it not been for the resistance of the Puritans, the English would have lost the whole freedom of their constitution.

† See Mr. Clayton's sermon on "The Snares of Prosperity." p. 6—17. Many of the sentiments of this discourse shew that the preacher can be very instructive, when he confines himself to subjects he understands.

berty ;

berty ; if you do not feel and discover a noble enthusiasm at the spread of those inestimable blessings in other parts of the globe ; you are in the ready way to be despised both by true churchmen and genuine dissenters : you will be regarded as a mongrel breed, a heterogeneous body, for which we have not yet a name. It is the bounden duty of the different denominations of Protestant dissenters, to unite, to claim, and to persist in claiming those rights of which they, the constant, firm supporters of the constitution, have been too long robbed. They should never cease to associate, to petition, to remonstrate ; and to assert their claim of being placed on an equality with their fellow-citizens, to every branch of the legislature.

But it is not to Protestant dissenters only that I beg leave to address myself. I wish to call upon all parties, moderate Churchmen, Methodists, Quakers, Catholics, Jews, to unite hand and heart with their brethren in procuring an extended toleration. Liberty of conscience in religion, without restraint, is our birthright : It was given us by GOD, and it is HIGH TREASON AGAINST THE MAJESTY OF HEAVEN to suffer ourselves to be



be deprived of it. The world is now in motion, and seems resolved to recover it. America, France, Poland, Ireland, reproach us for our sluggishness, and call upon us to follow their example. Let us then exert ourselves : Let us act with union, prudence, spirit, and fortitude. Conscious that we are in the path of duty, let no opposition whatever discourage us. Let us not be wanting to ourselves, and we may be certain, that our labour shall not be in vain.

## CHAPTER THE FIFTH.

*General Observations on the Proceedings of the National Assembly—Remarks on Mr. Burke's Writings—Address to my Countrymen—On the present State of our national Affairs—Conclusion.*

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HAVING thus considered the foundation principles of government in France—The plan of representation—The various reforms in the church—And the state of toleration—And having endeavoured to prove how materially we, in this country, are interested in each of these important articles—I shall conclude this work with some general observations.

There are, indeed, a variety of other articles in the French government, which it would afford pleasure to a benevolent mind to enlarge and dwell upon. The annihilation of the feudal system—The reform, or rather the new formation of the law department, by which justice is gratuitously adminis-

administered, and law suits are considerably diminished \*—The abolition of the game laws, which like similar laws in this country, were only calculated for the meridian of despotism—But these, with various other articles, I must leave to be discussed by others, hoping they will engage the serious attention of my countrymen.

I cannot however help remarking with pleasure, that the French have not only set *us* an example, but that they are following the example *we* had so long set them, in what is most laudable. They are copying some of our best civil institutions. I will only mention one, which we *formerly* thought inestimable, TRIAL BY JURY. I must express my warmest wishes, that no pretence of improving the revenue, no consideration whatever, may induce the French legislators to attempt, or the French

\* Our British merchants, who knew what law was under the old government, have reason to be thankful for the new system.

The conciliatory tribunals, or courts of arbitration have been attended with the most desirable effects. Those for Paris lately reported, that out of eight thousand and six causes, submitted to their jurisdiction, they had accommodated four thousand two hundred and fifty-nine.

people



people to suffer, those encroachments which have been made on this institution in our own country, at various periods, and especially during the present administration.

There is one remaining article, which I could wish to proclaim not only to this empire, but if it were possible to all the empires of the world: I mean that which relates to the connection of the French with other nations. "The French nation renounces the undertaking of any war with a view to make conquests, and will never employ its forces against the liberty of any people\*.

The memorial of the present Assembly, lately sent to foreign courts, may be considered as a comment on this article. Let those who have leisure and opportunity, turn over the numerous volumes of state papers, which have been published to the world; and if they can find ONE in which the principles of liberty, philosophy, and Christianity are so happily united, let them for the honour of statesmen produce it. The French memorial should be written in capitals of gold—Or rather it should be

\* Constitution, p. 90

engraven in indelible characters on the heart of every rational creature.

When I reflect on the nature and effects of war \*. When I consider the spirit of conquest which animated the old French government—When I farther reflect on the wars which have almost continually engaged this country ; that during the present reign, we have spent one hundred and forty millions of principal, exclusive of many millions of interest ; that we have sacrificed hundreds of thousands of lives, and shed oceans of blood ; for which we have gained.—NOTHING — Must not my heart be insensible did it not beat high with gratitude to those legislators, the first in the whole world who have had the resolution, the virtue, the greatness, and the goodness, to declare that they will never draw the sword, but when duty compels them in defence of their own invaluable privileges. Light now begins to dawn on those ancient predictions, which point to that happy period, when men shall be otherwise employed than in promoting each

\* “ War is a game, which were their subjects wife,

“ Kings should not play at.”

Cowper.

others destruction ; when swords shall be beat into plough-shares, and spears into pruning-hooks ; when nation shall not lift up sword against nation, neither shall the people learn war any more.

Such have been the PRINCIPLES, and such the PROCEEDINGS of the legislators of France. That these Saviours of their country should have been violently opposed by those who were the known and declared enemies of the rights of men—That despots should stand aghast ; or that they should unite in endeavouring to preserve their unlawful dominion, cannot excite surprise. But that a nation, whose constitution is founded on the principles of freedom ; whose Sovereign reigns in virtue of the law, “ the expression of the general will ”—That in this country there should be found men who behold their former enemies, but their present friends, with envy or indignation—That a member of the British senate should employ all his talents in vilifying the regenerators of the human race—*This* surely can never be too often lamented \*.

I i

Mr.

\* It is not only the liberties of France, but those of other countries to which Mr. Burke appears a determined enemy.



Mr. Burke has not, however, contented himself with expressing his own opinions on

enemy. In a late account of the revolution in Liege, published by the Prussian minister, we are informed; That the people, till the last century, were under a free government, and had the privilege of choosing their own representatives, but that they were at length deprived of it. That the clergy were in possession of TWO THIRDS of the landed property; and that the country was in a sad state of slavery. To this we may add the late Mr. Howard's account of some of the state prisons. "In descending deep  
 "below ground (says the philanthropist) I heard the moans  
 "of the miserable wretches in the dark dungeons. The  
 "sides and roof were all stone. In wet seasons water from  
 "fosses gets into them, and greatly damages the floors.  
 "The dungeons in the new prisons are abodes of misery  
 "still more shocking, and confinement in them so over-  
 "powers human nature, as sometimes irrecoverably to  
 "take away the senses. I heard the cries of the distracted  
 "as I went down to them." After such accounts we need not wonder at the attempt of the Liegois to recover their free government. They acted, however, with caution and calmness. Without touching the property of the clergy, they only required the restoration of their civil privileges. The Prince Bishop (the churchman and the statesman united) after assenting to what was proposed, quitted the castle, and breaking his engagements, returned with an armed force, provided by the chamber of Wetzlar and the emperor, to which the Liegois were obliged unconditionally to submit. The people have since been ruled with a more tyrannic sway than before. Must not humanity drop a tear over their unsuccessful attempt to re-  
 cover

on the affairs of France. He calls upon all the sovereigns of Europe to unite in one common cause; to suppress the present newly established government. He has done this with a wicked malignance, which one would have thought it almost impossible the heart of man could harbour. To accomplish his purpose, he has represented the authours of the French revolution in such a light, that the man who believes him, must have a worse opinion of human nature than I find it at present possible to have. He not only characterizes the National Assembly as a  
 “ College of fanatics, armed for the propa-  
 “ gation of the principles of assassination,  
 “ robbery, rebellion, fraud, faction, oppres-  
 “ sion, and impiety,” but farther represents them as having no design in propagating these principles, but merely to indulge their *own* wicked dispositions. “ They

cover their liberties? But what says Mr. Burke. “ The  
 “ chamber of Wetzlar has restored the bishop of Liege,  
 “ UNJUSTLY DISPOSSESSED BY THE REBELLION OF  
 “ HIS SUBJECTS.” (Second Letter, p. 20.) And this example he holds up to the different courts of Europe, urging them to follow it with respect to France. Such are the sentiments, and such is the advice of a BRITISH SENATOR!

“are modern philosophers, which when you  
 “say of them, you express every thing that  
 “is ignoble, savage, and hard hearted.”  
 “They do not commit crimes for their de-  
 “signs, but they form designs that they  
 “may commit crimes. It is not their ne-  
 “cessity but their nature that impels them.”  
 Such is Mr. Burke’s language!

Whether such monsters as these are  
 be found in all God’s visible creation, I own  
 I have my doubts. I can hardly bring  
 myself to imagine that Nero, Caligula, the  
 Cardinal of Lorraine, or Mr. Burke, should  
 have formed designs only for the purpose of  
 committing crimes to which they were im-  
 pelled, not by necessity, but by nature.  
 Whether Mr. B. drew this portrait of per-  
 fect depravity, from what he observed in  
 the French, or from what he discovered in  
 his own heart, I must leave others to de-  
 termine. With such a dreadful opinion,  
 however, of the French nation, it is not be-  
 wondered that he should wish it almost  
 obliterated from the face of the earth, and  
 that in his proposed conquest, he should  
 endeavour to prevent the exercise of that  
 mercy, which humanity would wish to  
 shew even to savages. “If ever a foreign  
 “prince,”



“ prince,” says this *Christian Statesman*, “ enters into France, he must enter it as into  
 “ a country of assassins. The mode of civilized war will not be practised, nor are  
 “ the French, who act on the present system, entitled to expect it\*.” So that if the sovereigns of Europe follow the advice here suggested, they will not invade France with a view to conquer the country, but to slaughter its inhabitants. Perhaps such language may force us, in spite of our sentiments and feelings, to acknowledge that there may be a creature in the world, “ who  
 “ forms designs that he may commit crimes, “ to which nature and not necessity compels him.” If there is such an infernal in human shape, God grant he may be a *unique* in the whole creation.

While I however feel that indignation which I cannot express on reading such sentiments; I cannot but at the same time earnestly wish to find out some apology for their authour. But the only apology I can meet with is the one lately suggested by some of our monthly critics, who inform us that “ Mr. Burke does not mean what he

\* Burke's Second Letter, p. 20. 28. 45.

says." Unhappily this expression is applied, not only to his present, but to his former sentiments. What opinion must we form of a man whose writings are such, that we can only apologize for the bad, by taking away the merit from the good: by supposing their authour an hypocrite.

When reflecting on this subject, the sentiment has sometimes struck my mind, "Great wits are nearly allied to madness;" and I have suspected whether in the present instance, the wildness of imagination, and the disorder of the passions, have not produced frenzy. One might almost suppose, that the right honourable gentleman had discovered, and had for some time past been living on that root we read of in Macbeth; "The insane root, which takes the reason prisoner:" or that he had imbibed a large portion of "the hot alembick of hell," which he says, is in another kingdom, "boiling so furiously."

Happy, inexpressibly happy, will it be for him, if the prediction of some of his opponents, that his name and his writings will in a few years be buried in oblivion, should be fulfilled. But this is improbable. When we consider the cause he has vilified;  
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the language he has used; the misrepresentations and falsehoods he has advanced, and continued from edition to edition, many of which are yet unexposed; when we find that he is now preparing *a libel on himself*, by collecting all his contradictory works into one edition; not only the present, but future ages will read, reflect, and be lost in astonishment. He is, to all appearance, “damned to everlasting fame;” and it is well if any method can be found out to save his character. Let me indulge a hope on the subject.

It has been observed with respect to the greatest and best men the world has ever known, that there still have been some dark spots discovered in them, to convince us they were *but* men. We may likewise observe, that with respect to persons of a contrary description, there still have been discovered some bright spots, to remind us that they were *yet* men. In the present instance; when we recollect the excellent sentiments in some of the writings of Mr. Burke; when we read his incomparable address to the freemen of Bristol on the loss of his election; when we behold him, however inconsistent, a friend to the op-



pressed Africans ; we find some relief, and are not without hope that he may be brought to reason, and to serious consideration ; and that when he properly reflects on the horrid tendency of his late writings, conviction may flash on his conscience, and compel him to follow the example of the ancient patriarch ; “ abhor himself, and repent in dust and ashes !”

Without this repentance, nothing can save his memory from detestation. Should he appear to persevere in his late sentiments to the close of life, what must be the sentence of the impartial historian ? it must be something similar to that which has been passed by a celebrated critic on the works of the witty, but the wicked Congreve ; “ if some of his writings did not in his last hours rack his conscience with remorse, he must have been dead to all sense of religion and virtue !”

And what are the trifling temporary rewards which Mr. Burke expects for his labours ? Does he seek the confidence of his Sovereign ? It is true he now teaches us to “ look up with awe to kings,” and nothing seems to irritate his sensibility more than the idea of a monarch “ being hurled from his throne.” But

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is not the treatment of his own Sovereign fresh in the memory of the whole nation? At that dismal period when every loyal heart was sad on account of an awful visitation of providence; when the House of Commons wished to treat afflicted MAJESTY with all possible respect; how did the right honourable gentleman then instruct us in our duty? If there is a person of feeling who does not recollect, will not his soul be "harrowed up" when he reads, that at such a period there was a man who could daringly, in the midst of the great senate of the nation, exclaim, "Omnipotence has hurled the monarch from his throne; to shew him respect is to make a mockery of him, putting a crown of thorns on his head, a reed in his hand, and dressing him in a raiment of purple, to cry HAIL KING OF THE BRITISH!\*" Not content with this, the same man searched through mad houses that he might calculate the chances against his Sovereign's recovery; and afterwards expressed himself in terms too horrid to be repeated; and which made many lament he had not been confined in one of the bedlams he had been ran-

\* Parliamentary Register for 1789. p. 419.

facking ;

facking; such was the fear of his friends lest he should raise, if possible, new horrors in the breast of every member in the house, that they prevented him by main force from farther venting his ravings.

And surely our Sovereign can never forget, that Mr. Burke has lately endeavoured to destroy the only just title which any king can have to a crown, *the choice of a free people*. Although his MAJESTY's benevolent and forgiving disposition, may induce him to be reconciled to one who has so cruelly insulted him, yet he can never admit the man to his confidence, who has attempted to undermine those principles which seated his illustrious ancestors and himself on the throne.

In such a situation Mr. Burke may be suffered to appear at a levee, or admitted, perhaps, to the honour of an audience: he may ride occasionally to Windsor, put on the court uniform, walk upon the terrace, bask in the smiles, and enjoy the conversation of royalty. He may consider the favour shewn him on these occasions as proofs of forgiveness, but confidence he can never expect.

Does Mr. Burke wish for a seat in the cabinet?



cabinet? *That* seems equally improbable. Every man will allow Mr. Pitt to be a complete *modern* politician, and must have noticed the various exertions of his abilities, to trim the ministerial balance in such a manner, as may tend most effectually to the preservation of his places and his influence. Whatever may be his *own* sentiments, or however his hirelings may be employed to traduce the French revolution, it is impossible he should ever admit to his confidence a man, who would involve all the courts of Europe in a war with France. Mr. Pitt will never run the risk of losing his place and his head by provoking a great and a loyal people to resistance, a lawful resistance, to the payment of taxes imposed to carry on a quixotic expedition, for the purpose of subjugating a great empire to the yoke of civil and ecclesiastical tyranny. If Mr. B. is therefore admitted to a ministerial levee, or invited to a ministerial dinner, these are all the favours he can expect from our present premier. With respect to the community in general, it is impossible they should pay any attention, to what folly and wickedness has with such unexampled virulence suggested. On the contrary, MY COUNTRY-

MEN,

MEN, I trust that so far from deprecating, you will follow the example of the French in some at least of the paths which I have now set before you. Forgive any repetitions in my parting address to you, for most assuredly the subject is of the greatest importance.

I am sensible of the disadvantage with which any one, under our present circumstances, presumes to press the important point of national reformation. The present flourishing state of our finances, the increase of our commerce, the influx of riches; these we are told, are such circumstances of national happiness, that it would be folly to attempt any change in our general system. "We are very well off, and we want no change." Such is the language of many.

Had I not already too long intruded on my readers, I might make some observations on the present state of our revenue, and of our commercial concerns. I might enquire on what is our national security founded? I might discuss the questions, Are not our Eastern and Western possessions in a precarious state? Is not a considerable part of our revenue the produce of guilt? Is not our  
paper

paper circulation not only immense, but continually encreasing? Does not our whole prosperity rest upon our credit\*? Have we a rational prospect of our debt or our taxes being in any considerable degree diminished? Is not France studying, and entering into the spirit of those principles, which have produced the best part of our prosperity? Perhaps were these subjects impartially considered, the advice might not be unsuitable; "Be not high minded, but fear!" But waving these topics, I am willing to allow that at present the nation is in many respects in a flourishing situation; and nothing prevents me from congratulating my countrymen, but my not being able satisfactorily to

\* There is a mystery in the manner of establishing and supporting some of our COUNTRY BANKS, which puzzles many of our mercantile people. Some of the London bankers, it is well known, when they can find a reputable shopkeeper willing to open a bank in a town where there is not one already, offer, if the undertaking does not succeed, to be at the whole of the expence; and if it does, to allow four per cent interest on all money lodged in their hands; and this at the time when our public funds yield little more than three per cent. This paper manœuvring may last as long as our credit is so high as it is at present; but should any thing happen to check it, God only knows what may be the consequences.

answer



answer this question: "What use do we  
"intend making of our prosperity?"

"We are very well off, and we want no  
"change." And is it possible that even in-  
sensitivity itself should use such language?  
Are not the facts I have faithfully set before  
you in this book indisputable? Are not the  
foundation principles of our constitution,  
and of all good government derided and re-  
probated by numbers, both in and out of  
administration? Is not the noblest part of  
our constitution, our representation, so cor-  
rupted, that it is a national opprobrium?  
Is not our church so degenerated, that it is  
a disgrace to christianity? Is not our tolera-  
tion a precarious connivance; and are not  
thousands of peaceable and loyal subjects  
deprived of their privileges, and exposed to  
the horrors of penal laws? Are not our  
national vices on the increase? Is not the  
main body of the people corrupt? I appeal  
to the evidence I have produced, and I will  
venture to affirm that all these melancholy  
questions must, by the dispassionate and the  
serious, be answered in the affirmative. The  
natural inference then is, **WE ARE NOT  
VERY WELL OFF, AND WE DO WANT A MOST  
MATERIAL CHANGE.**

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The prosperity we now enjoy is the kind and merciful voice of providence, which calls a vicious and a guilty nation, to repentance and reformation. We may consider the present period, as an accepted time, a day of salvation ; if we neglect to improve it, have we a right to expect it should be lengthened ? Were we not in this prosperous situation ; were we exposed to all the calamities of war, something plausible might be urged, respecting the difficulty of properly attending to objects of such importance as I have mentioned. During the late war, I was requested to sign a petition for a reform of parliament. My reply was, " This affair is of too great  
 " magnitude for us to attend to in our present  
 " situation ; We are now fighting for  
 " our existence. Let us if possible get rid  
 " of our enemies, and then let us pursue the  
 " important object by every means in our  
 " power." I was then a very young man, and had not properly considered, that the most important lessons are seldom learnt either by individuals or by nations, except in the severe school of adversity.

We have no excuse for neglecting the  
 present

present opportunity. Should we however be determined to preserve all our numberless corruptions—should our riches confirm us in our obstinacy; we may justly fear lest the same ruin should overwhelm us, which has overwhelmed all the great nations of antiquity; lest the threatening denounced by God against his ancient people should be denounced against us; I WILL CURSE YOUR BLESSINGS! Let us tremble, lest we should exemplify the observation of the wise man, applicable to nations as well as to individuals: THE PROSPERITY OF FOOLS SHALL DESTROY THEM.

I address myself to BRITONS, to a people who have ever professed to regard their liberties as their birth-right, and who have valued their constitution only as it has served to secure and extend those liberties. I will not again recall to your minds the language or the conduct of your glorious ancestors, but I will desire you to recollect your own language, your own conduct. It is not many years since that you thought your privileges invaded by a wicked administration, and an abandoned House of Commons. With one voice you demanded redress.



dress. The citizens of London in particular in the presence of MAJESTY itself, declared their sentiments and resolutions in a manner never to be forgotten; thus they addressed the throne: “ The forms of the constitution, like those of religion, were not established for the form’s sake, but for the substance; and we call God and men to witness, that as we do not owe our liberty to those nice and subtle distinctions, which places and pensions, and lucrative employments have invented; so neither will we be deprived of it by them; but as it was gained by the stern virtue of our ancestors, by the virtue of their descendants it shall be preserved \*.”

But it is not only your late, but your *present* conduct which induces me to hope you will be thoroughly awakened to a sense of duty. You, my countrymen, are at this moment exhibiting a glorious proof of manly and virtuous sentiments, by demanding, with one voice, the abo-

\* Address of the Livery to the King. March 1770. Let it be recollected, that this address was presented in a time of profound peace, when our funds were nearly as high as they now are, when our taxes were many millions less, and our land tax only three shillings in the pound.

lition of that national disgrace, the **SLAVE TRADE**. You have only, therefore, to be consistent. Act in a similar manner respecting other great and important objects. And be assured that if you are firm, united, and persevering, no minister, however unprincipled or hypocritical, no House of Lords or Commons, however lost to all sense of dignity or virtue, can long resist your demands. Should the whole phalanx of corruption presume to declare, "We are firm in our determination to preserve all the abuses of our constitution," you have only to reply; "We are firm in our determination to have them annihilated." The voice of the people must prevail; those who affect to despise it, will one day tremble. A late negotiation affords you a most instructive lesson. You now see there are men, who in a bad cause, can be the greatest bluffers; and yet when they meet with virtuous resolution to oppose them, and they fear their places are in danger, these men shrink into the poorest poltroons. You have then nothing to fear from your enemies; you have every thing to hope from your own exertions.

I address myself to **CHRISTIANS**. "Ye  
are

“ are the salt of the earth, but if the salt  
 “ have lost its flavour, wherewith shall it  
 “ be salted ?” If you fall in with the stream  
 “ of corruption—If you adopt the lan-  
 guage ; “ We are very well off, we want no  
 “ change”—If you embrace the sentiment,  
 that accursed sentiment, which ruins so  
 many in this world, and damns them in  
 the world to come, RICHES ARE THE  
 CRITERION OF HAPPINESS—Surely the lan-  
 guage which was addressed to the church  
 at Laodicea, may be, with equal propriety,  
 addressed to you : “ Thou sayest, I am rich  
 “ and encreased with goods, and have need  
 “ of nothing ; and knowest not that thou  
 “ art wretched and miserable, and poor,  
 “ and blind, and naked.”

But I hope better things, because I am  
 persuaded, that the criminal supineness of  
 many proceeds principally from want of  
 consideration. When I look at some of my  
 friends in private life---When I behold  
 them adorned with all those virtues which  
 make men happy in themselves, and a blessing  
 to all around them—While on the one  
 hand it is my endeavour humbly to imitate  
 them---Will they forgive me on the other  
 for pressing upon them the important



advice—BE CONSISTENT. Recollect you have public, as well as private duties to discharge. Act upon the same principles in public life as you do in private, and you will be blessings not only to your families, and friends, but to your country.

To conclude. Our present situation is such, that nothing but a very essential alteration, both in church and state, can preserve either our religion, or our liberties. And the only alternative left us is, whether we shall immediately pursue the necessary means to effect that alteration in a peaceable manner, or whether we shall run the risk of an event much to be deprecated; a Revolution! France has not only set before us an example, but a warning. The distresses occasioned by the misconduct of her former rulers, and the unavoidable agitations accompanying her late change, call upon us to beware. Should we ever be in a similar situation, as we have not such vast resources, we must experience greater distresses, and more violent concussions. Let us likewise attend to what is now transacting in this kingdom: Let us take care lest from the zeal of republicanism on the one hand, and the depravity of the legislature

lature on the other—Our constitution—  
Our king—Our church—Our liberties—Our  
laws, should be involved in one common ruin.  
The only possible way to preserve them is,  
A REFORMATION ; which if not effected, we  
must then be forced to a remedy, which  
may prove almost as desperate as the disease  
—A REVOLUTION !

F I N I S.







